

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

13th September, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Team, on Tuesday, 19th September, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

- (a) LA04/2020/1901/F and 1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first and second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings), Former Good Shepherd Centre at lands at Nos 511 and 511a Ormeau Road (Pages 1 - 24)
- (b) LA04/2022/1677/F and 1679LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). Former Good Shepherd Centre at lands at Nos. 511 and 511a Ormeau Road, Belfast BT7 3GS. (Pages 25 - 48)

- (c) LA04/2021/1808/F - Proposed residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works. Lands South and East of 148-163 Lagmore View Lane North and West of 37, 81, 82 and 112 Lagmore Glen and Lagmore View Road, Belfast (Pages 49 - 74)

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 th September 2023	
Application ID: LA04/2020/1901/F LA04/2020/1899/LBC LA04/2022/1677/F LA04/2022/1679/LBC	
Proposal: LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second	Location: Former Good Shepherd Centre, Lands at No's 511 and 511A Ormeau Road, Belfast, BT7 3GS

floor of existing Good Shepherd Centre to office accommodation (Class B1).	
Referral Route: Councillor referral under paragraph 3.8.1 of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Choice Housing Association Ireland Ltd Leslie Morrell House 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>The applications seek full Planning Permissions and Listed Building Consents for an Office development at Former Good Shepherd Centre.</p> <p>The relevant applications are:</p> <ul style="list-style-type: none"> • LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) • LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) • LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). • LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). <p>Officers have discussed the need for this second Listed Building Consent application given that it seems to propose the works covered under application LA04/2020/1899/LBC. The applicant has verbally confirmed that the works are covered by the earlier application and it is expected that the second application will be withdrawn.</p> <p>The key issues in the assessment of the proposals are:</p> <ul style="list-style-type: none"> • Principle of office development • Impact on the Listed Building 	

- Impact on Residential Amenity
- Access, road safety and parking
- Impact on Trees
- Other environmental considerations

With respect to LA04/2020/1901/F, the Council has received 121 objections and for LA04/2020/1899/LBC, the Council has received 6 objections. Issues raised relate to transport / access / parking, trees, environment, principle of development, existing office use, built heritage, residential amenity, working patterns and procedural matters. There have been no objections received in relation to LA04/2022/1677/F and LA04/2022/1679/LBC.

Statutory Consultations

DfI Roads – No objection, subject to conditions

DfC Historic Environment Division (HED) – No objection, subject to conditions

DAERA NIEA – No objection, subject to conditions

Non-Statutory Consultations

BCC Environmental Health – No objection, subject to conditions

BCC Tree Officer – Awaiting further advice

BCC Building Control – No objection

Planning Service Plans and Policy team – Advice received (See main assessment)

Policy EC6 of the Plan Strategy relates to 'office accommodation' and Policy RET2 relates to 'out of centre development'. Outside designated areas, such as the city centre and district centres, the policy requires that development proposals must comply with the sequential approach. However, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to 'Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic'. The CLEUD establishes an office use for much of the building. The proposal includes a relatively modest extension to that previously approved by the CLEUD. Furthermore, the proposal secures the maintenance and use of a listed building which has been vacant for the last 5 years. Having regard to these considerations, the proposed office use is considered acceptable in principle.

The application site is located directly adjacent to a city corridor, known as Ormeau Road (arterial route, designated in the Draft Belfast Metropolitan Area Plan 2015. The proposed access is directly from the Ormeau Road. This access has been amended from the original proposed access directly from Carolan Road, which attracted a consideration number of objections. The revised proposal also includes the blocking off of the existing Carolan Road access. The existing gates at this access will be kept shut and a bollard erected to prevent any vehicle using the gate. DfI Roads have provided comments on the amended proposal and raises no objection subject to conditions.

The application site is covered by a Tree Preservation Order (TPO). The proposed development results in the loss of 14 no. existing trees from the site, due to changes to the existing layout. The Council's Tree and Landscaping Officer (TLO) has advised no objection to the proposed removal of some trees within the site owing to condition, age or species and is content with the compensatory planting proposed. The TLO has raised issues regarding the impact of the amended site access on protected trees. Additional information has been submitted to address these concerns, with the consultation response outstanding at time of publication. Notwithstanding this, it is considered that the additional information does not fully address the concerns raised as the amended site layout shows the Root protection zones (RPZs) of two trees partially encroaching on to the site access. It is considered that the issue can potentially be addressed by providing appropriate ground protection measures. Delegated authority is sought to resolve matters relating to trees.

The proposed development relates to a Grade B1 Listed Building (ref. HB26/01/062A), known as “Good Shepherd Convent”. Within the application site, there is another Grade B1 listed building, the Gate Lodge, Good Shepherd Convent Complex (ref. HB26/01/062B) which is not impacted by the proposal. The main building has been vacant since 2018. It is considered that the proposed development will secure the building’s upkeep and survival and the character and that the architectural and historic interest of the building will be preserved. DfC Historic Environment Division (HED) offers no objections.

The site is located next to two existing apartment buildings (directly to the west of the site). The proposed development does not include any new windows, alterations to the existing windows or any new lighting on the western elevation of the building. It is considered that the proposal will not give rise to any unacceptable detrimental impacts on existing residents of the apartments. Whilst views of the apartment buildings will be achievable from the offices, this should not result in an unacceptable impact from overlooking. Additionally, it is not considered that the proposal will give rise to significant noise, odour or vermin issues.

An Ecological Statement and Biodiversity Checklist were submitted in support of the proposed development. The ecological statement contained information on bats, indicating that both buildings on site have negligible roosting potential, however, two trees (proposed for retention) have moderate suitability for roosting bats. It is considered that the proposal will not have an unacceptable impact on sites, habitats, species, ecosystems or networks that are important for their nature conservation, biodiversity or geodiversity value. DAERA NIEA offers no objection subject to conditions.

The application is referred to the Committee following a request from Councillor de Faoite. Councillor de Faoite outlined concerns in relation to traffic, access, road safety, impact on trees and concerns regarding a previous appeal decision on the site.

Recommendation

Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.

It is recommended that planning permissions and Listed Building Consent are granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.

Officer Report

1.0

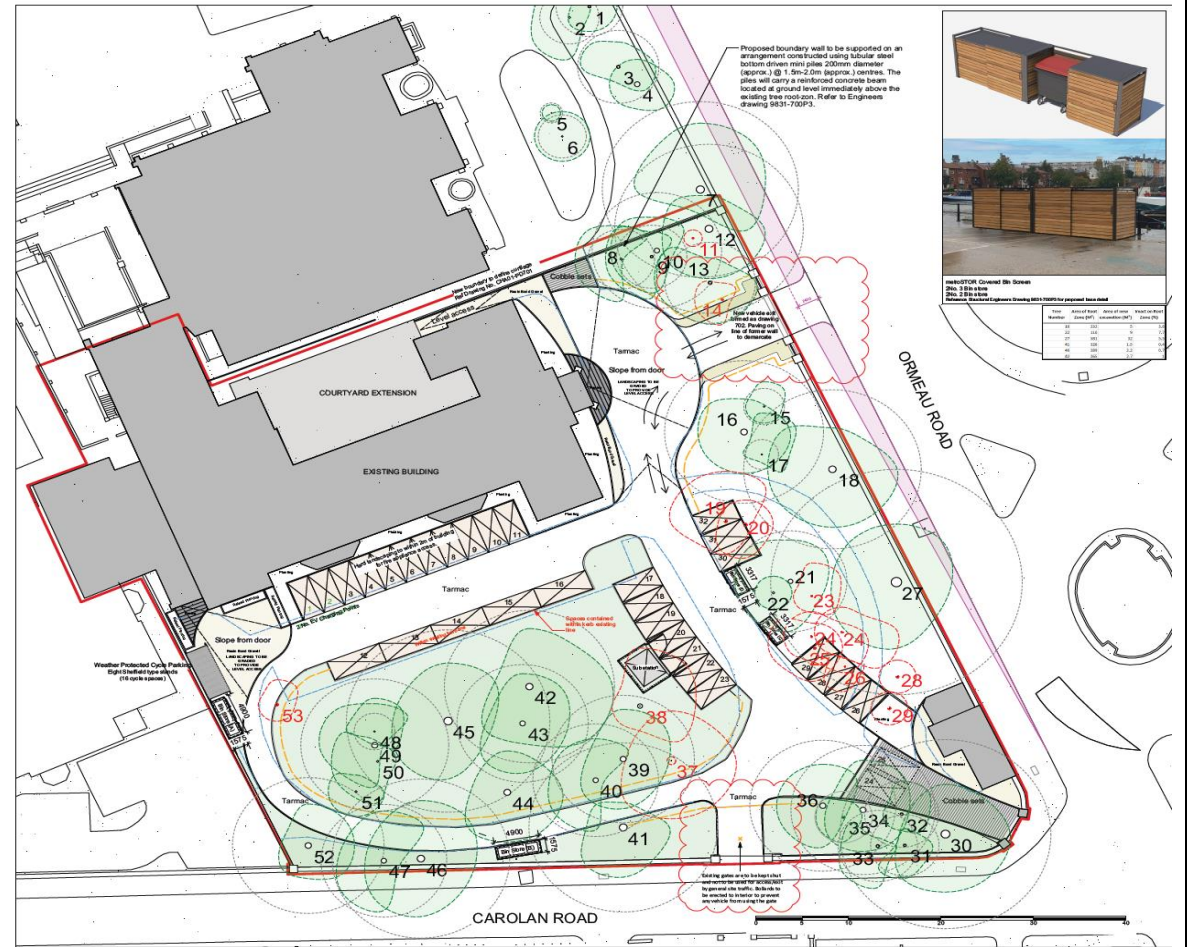
Drawings

1.1

Site Location Plan



Proposed Site Layout



2.0	Characteristics of the Site and Area
2.1	The application site is located at the former Good Shepherd Complex, No's 511 and 511A Ormeau Road. It is situated to the west of the Ormeau Road and North of Carolan Road.
2.2	The site is currently linked to the Good Shepherd Church, immediately to the north. The site is currently accessed via two existing two accesses, from the Ormeau Road (through the car park of Good Shepherd Church) and Carolan Road.
2.3	The building on the site is a Grade B1 listed building (ref. HB26/01/062 A). It is a 3.5 storey building in a Tudoresque Gothic style, finished in red brick with sandstone detailing. Within the wider site, there is also a two storey gate lodge and a car parking area to the south and east of the building. The site is also defined by several mature trees, along the southern and eastern portions of the site. These are subject to a group Tree Preservation Order. The southern and eastern boundaries of the site are defined by stone walls, with iron fencing on top, with two iron gates on the Carolan Road and junction of Carolan / Ormeau Road. The western boundary is defined by a brick wall, with the northern boundary undefined.
2.4	The surrounding area is characterised primarily by residential development, with a mix of apartments, terraced, semi detached and detached dwellings. Wellington College is located in proximity to the site, at the end of Carolan Road, whilst there are commercial uses further along Ormeau Road to the north and adjacent to the site within the listed cottages fronting onto the Ormeau Road.
3.0	Description of Proposal
3.1	This committee report relates to 4 applications (2 applications for full planning permission and 2 for Listed Building Consent). Overall, the applications relate to retention and reconfiguration of existing office and ancillary floorspace across the ground, first and second floors of the building, the provision of a new ground floor extension with mezzanine floor, internal / external works to the building, with external layout reconfigurations and ancillary works.
3.2	The proposal descriptions specify: LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).

	<p>LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).</p> <p>Officers have discussed the need for this second Listed Building Consent application given that it seems to propose the works covered under application LA04/2020/1899/LBC. The applicant has verbally confirmed that the works are covered by the earlier application and it is expected that the second application will be withdrawn.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Policies Belfast Agenda</p> <p>Relevant Planning History</p>
4.5	<p>Application Site:</p> <p>LA04/2021/2527/LDE - Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm), as shown on Drawing No. 02 uploaded to the planning portal on 18th November 2021. No use identified for the third floor attic (amended description) – Granted 5th April 2022</p> <p>Z/2009/0377/F - New access incorporating the demolition of a small portion of existing boundary wall on Carolan Road – Granted 22/6/09</p> <p>Z/2008/0887/F & Z/2008/0888/LB - Restoration of vacant listed gate lodge including change of use from dwelling to office accommodation with alterations – Granted</p> <p>Z/1995/1144 - Change of use from convent to offices – Allowed following appeal (Granted)</p> <p>Z/1994/0715 - Change of use from convent to offices – Refused</p> <p>Z/1993/0512 - Change of use of building previously used for voluntary work and associated administration to office use – Refused</p> <p>Z/1993/0200 & Z/1993/0201 - Change of use from convent to offices – Refused</p> <p>Z/1993/0077 - Change of use from convent to offices – Refused</p> <p>Z/1991/0437R – Mixed Housing Development (34 dwellings) with ancillary roads - Granted</p>

5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DfI Roads – No objection, subject to conditions</p> <p>DfC Historic Environment Division (HED) – No objection, subject to conditions</p> <p>DAERA NIEA – No objection, subject to conditions</p>
5.2	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health – No objection, subject to conditions</p> <p>BCC Tree Officer – Awaiting further advice</p> <p>BCC Building Control – No objection</p> <p>Planning Service Plans and Policy team – Advice received (See main assessment)</p>
5.3	<p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p>Representations</p>
5.4	The applications have been advertised and neighbours notified.
5.5	With respect to LA04/2020/1901/F, the Council has received 121 objections and with respect to LA04/2020/1899/LBC, the Council has received 6 objections (note that the objections to the Listed Building Consent are also added to the full application as many of the issues raised are related to the full application, not the works to the listed building).
5.6	There have been no objections received in relation to LA04/2022/1677/F and LA04/2022/1679/LBC.
5.7	<p>The issues raised by objectors include:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> • Proposed new access from Ormeau Road will cause a significant road safety hazard and result in additional traffic delays due to proximity to the roundabout at Ravenhill Road junction and existence of bus lanes at peak times. • More appropriate to allow intensification of existing northern access point. • Transport issues may be compounded by proposals for BRT2 (Rapid Transit) as there is no provision for right turning lane into site. • Existing entrance to site poses a safety risk to pedestrians and road users. • Carolan Road is already congested, particularly in the mornings and afternoons, due to presence of the nearby Secondary school, Primary School and Nursery. • Proposal will exacerbate issues of parking on Carolan Road. The road is already congested with double parking. • Proposed development does not provide adequate parking for number of staff and visitors. • Proposed number of parking spaces is a large underestimation of how many cars are likely to be used, given number of staff in attendance. Choice HA also plan to use the building as a training hub which will increase demand for parking. • Existing junction of Carolan Road and Ormeau Road is a 'blind spot' with potential for serious traffic accident. • Existing entrance on to Carolan Road is rarely, if ever, used and the proposed development should utilise the existing access on Ormeau Road. • Existing entrance on to Carolan Road has only ever been used as an exit. • Proposed 2 way access is located directly opposite and in very close proximity to an existing vehicular access serving a dwelling.

- Proposed car park will be destructive to the area – the proposal should utilise the ample unused parking space within the existing Church car park.
- Transport Engineers' submitted information challenged by objector(s). The Council should demand proper inspection by Dfl. Issues with timing of reports / Assessments during school closures, Covid lockdowns etc.
- Independent body should complete a risk assessment in relation to the applicant's traffic plans.
- Carolan Road is already being operated on a voluntary basis as a one way inward road with egress via Rosetta Avenue.
- Office staff should be encouraged to use bicycles and public transport.
- Parking partnership with the Good Shepherd Church should be considered.
- Site is well served by public transport.
- Local resident has provided a parking survey of traffic movements in the morning, at the junction of Carolan Road and Ormeau Road.
- Choice HA business requires staff to be on site during the day, therefore requiring vehicular transport. Submitted information does not include this detail.
- Potential obstruction of footpath during bin collection.
- Issues raised regarding availability of safety plans from the 1990s and enquiry if these plans are available to view.
- Neighbour's right of way is being restricted as a result of the proposal.

Trees / Environment

- Proposed development will negatively impact on the existing trees within the application site.
- Concerns raised regarding the long term health of the existing mature trees on site.
- Many of the impacted trees are over 100 years old and many have 'conservation orders'.
- Removal of trees cannot be justified.
- Existing trees provide significant amenity value and part of the natural heritage of the area.
- BCC has committed to planting 1 million trees by 2035, therefore existing trees should also be retained.
- Existing trees provide privacy and protection from overlooking.
- Existing trees muffle noise / absorb fumes from the nearby roads / traffic.
- Existing trees provide shade in the summer.
- Existing trees help soften the backdrop to the existing building and provide a backdrop to the adjacent listed cottages.
- Proposed to remove trees to facilitate car parking does not result in a sustainable development.
- Tree Preservation Order (TPO) should be placed on the existing trees on site.
- Existing trees and mature vegetation should be preserved, in light of climate change, particulate pollutants and flooding threats.
- Green spaces should be protected for environmental / biodiversity reasons, as well as positive impact on health and wellbeing.
- Mature trees should be retained – help absorb CO2, produce oxygen, assist with air quality and retention of carbon.
- Parking could be accommodated on Carolan Road and Ormeau Road, instead of removing trees to facilitate a car park.
- Replacement of the trees / garden with a hard surface will exacerbate flooding issues.

- Existing trees are visible from a number of perspectives, which adds to the historic landmark on the Ormeau Road.
- Trees / Garden Area has been a precious tranquil respite in the area since the Centre was built in the 1850s.
- Detrimental impact on wildlife, such as bats and birds.
- Concern that no Environmental Impact Assessment has been carried out by the developer.

Existing Office Use

- Concern raised regarding the assumption that Good Shepherd Building was used as commercial offices prior to purchase by the developer.
- Limited numbers of people (5-10 max) occupied the offices when previously used by the Down and Connor Diocese.
- Proposal to use the offices as a commercial enterprise is clearly a different form of use than use as parish offices.
- Access to the offices was via the Good Shepherd church car park. Proposed access gate on Carolan Road was not used historically until Choice HA have started opening it regularly post purchase of the site.

Built Heritage

- Concerns raised about impact on the character of the gate lodge.
- Detrimental impact of extension on character of the listed building and its surroundings.
- Concern raised regarding potential demolition of the facades of the listed building.
- Existing pillars are one of the most attractive aspects of the listed Building.
- Concerns regarding the removal of detailing / fabric from the building and failure to recycle / re-use.

Residential Amenity

- Potential overlooking towards nearby apartments – if window panes are replaced (patterned glass to transparent glass).
- Potential impact on residential amenity from lighting towards existing apartments.
- Possible amenity issues in relation to noise if outside space is used for socialising / smoking.
- Potential negative impact on infrastructure, such as broadband.
- Proposed bin store will have a detrimental impact on the local area, resulting in odour nuisance and vermin issues.
- Issues raised with the additional noise more housing would bring, particularly during construction.

New working patterns

- No need for new offices with the shift to home working patterns.
- Post Covid working patterns are evolving continually and no guarantee that Choice HA will continue with their flexible / hybrid approach.

Procedural / Technical

- Issue raised with proposal description – requesting clarification regarding ‘associated works’.

	<ul style="list-style-type: none"> • Issues raised with the notification process. • Issues raised regarding lack of bat information on the Planning portal. • Issues raised with availability of documents on the Planning Portal.
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p><u>Operational policies:</u> the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p><u>Proposals Maps:</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.6	<p>The application site is located on undesignated white land, in accordance with all of the above Plans.</p>
6.7	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SP1 – Growth strategy Policy SP2 – Sustainable development</p> <p>Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy BH1 – Listed Buildings Policy BH4 – Works to grounds affecting built heritage assets</p>

<p>6.8</p>	<p>Policy EC6 – Office Development Policy RET1 – Establishing a Centre Hierarchy Policy RET2 – Out of Centre Development</p> <p>Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to Public Roads Policy TRAN8 – Car Parking and Servicing Arrangements</p> <p>Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change</p> <p>Policy NH1 – Protection of natural heritage resources Policy TRE1 – Trees</p> <p>Key Issues The key issues for consideration of the applications are:</p> <ul style="list-style-type: none"> • Principle of office development • Impact on the Listed Building • Impact on Residential Amenity • Access, road safety and parking • Impact on Trees • Other environmental considerations <p>Principle of office development</p> <p>6.9 The application site is located outside the city centre and any district or local centres. It is also located outside any major or strategic employment locations and any designated office areas / nodes. Consequently, Policy EC6 directs that proposals for use class B1(a) must comply with the sequential approach.</p> <p>6.10 However, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to ‘Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists’ studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic’. The CLEUD establishes an office use for much of the building.</p> <p>6.11 It is noted that the planning history includes an approval for ‘Change of use from convent to offices’ under ref. Z/1995/1144. The development was granted following appeal and was subject to 4 conditions, three of which were conditions precedent, requiring construction of site access, provision of parking and landscaping prior to the change of use taking place. These works were not completed, therefore, it is not considered that this planning approval was lawfully commenced.</p> <p>6.12 Application ref. LA04/2020/1901/F includes a new mezzanine extension at ground floor level, resulting in an increase of 339 sq metres in floorspace. Application ref. LA04/2022/1677/F relates to a Change of use from artist’s studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). This application relates to 169 sq metres of floor space and is required following the grant of the aforementioned CLEUD.</p>
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6.13	The proposed development relates to a Class B1 Use on ground, first and second floor, the same class as previously established on the ground and first floor by the CLEUD. An objection queried whether the proposed use class is different from the previous use as parish offices. From the information submitted, the previous office use was in association with the overall Down and Connor diocese, not just the local parish. It is considered that there is no differentiation in either use class (Use Class B1).
6.14	The submitted drawings show the breakdown of specific use per room within the building, i.e. office, meeting, amenity, circulation, sanitary, store, plant / IT etc. Actual proposed office floorspace accounts for 1,018 sqm within the building. The CLEUD approved 841 sq metres of office floorspace within the building. The proposed development results in an uplift of 177 sqm of office floorspace. It is noted that the proposed development also includes an uplift in terms of amenity, meeting, sanitary and IT / Plant space.
6.15	The proposal relates to the use of an existing listed building as an office (Use Class B1). The existing floorspace of the listed building is approximately 2,931 sqm. The proposal includes a relatively modest extension (339 sq metres) and the use of former artists' studios (169 sq metres) as offices. The proposed extension is an open plan area at ground floor to be used as a 'Community hub' with a meeting room located at mezzanine level.
6.16	Policy EC6 relates to 'office accommodation'. Outside designated areas, such as the city centre and district centres, the policy requires that development proposals must comply with the sequential approach, with those in excess of 1,000 square metres gross floor space accompanied with an impact assessment and an assessment of need (as set out in Policy RET2).
6.17	Policy RET2 relates to 'out of centre development'. It states that proposals for main town centre uses outside of existing centres must: <ul style="list-style-type: none"> a) Demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to a suitable criteria of suitability, availability and viability. b) Submit a retail impact assessment and assessment of need for proposals that have a floorspace of 1000 sq m gross and above.
6.18	The Planning Service's Plans and Policy team were consulted on the application. It advises that as the proposal includes an uplift of office floorspace, a sequential test should be provided to demonstrate compliance with the policy. However, the proposal includes a relatively modest extension to that previously approved by the CLEUD. Furthermore, the proposal secures the maintenance and use of a listed building which has been vacant for the last 5 years. Having regard to these considerations, the proposed use is considered acceptable in principle.
6.19	<p>Access, Road Safety & Parking</p> <p>The application site is located directly adjacent to a city corridor, known as Ormeau Road (arterial route, designated in dBMAP 2015). The proposed access is directly from the Ormeau Road. This access has been amended from the original proposed access directly from Carolan Road, which attracted a considerable number of objections. The midpoint of the proposed access is located approximately 34 metres to the northwest of the existing Ravenhill Rd / Ormeau Rd roundabout. The proposal also includes the blocking off of the existing Carolan Road access. The existing gates at this access will be kept shut and a bollard erected to prevent any vehicle using the gate.</p>
6.20	Historically, it was possible to access the site via two accesses: the main church gate on Ormeau Road and the aforementioned access gate on Carolan Road (previously approved under ref. Z/2009/0377/F).

6.21	<p>The proposed development includes parking for a total of 32 no. cars. The Transport Assessment Form (TAF) and Framework Travel Plan (FTP) give an indication of how trips to and from the development will be managed and undertaken. Choice Housing Association (HA) currently employs approx. 256 staff which utilise offices across NI. Choice HA have adopted a hybrid working policy which has changed staff working patterns in relation to the number of days staff are required to attend the main office (the proposed development) or one of the remote offices, with the expectation that most staff will work from home. The TAF indicates that this will continue as part of the HA's current and future working practices and it is expected that approx. 68 staff will attend Carolan Road on a daily basis. The TAF also shows a breakdown of the multimodal trips, with 29% of daily visitors using the car to attend the office. As noted previously, a FTP has been submitted which aims to encourage staff / visitors to use more sustainable forms of travel, encourage flexible working arrangements and reduce need to travel by single car occupancy. DfI Roads have suggested imposition of a condition requiring the development to operate in accordance with the FTP. This would be of benefit, noting that the existing lawful use of the building with offices is unfettered and not subject to a FTP.</p>
6.22	<p>DfI Roads has provided comments on the latest amended drawings showing the proposed revised access onto Ormeau Road. The consultation response details conflicting information within the submitted drawings in relation to visibility splays and how the access will be formed (lowered kerbs / return kerbs). DfI advises that the visibility splay issue is not relevant as the splays are over a currently adopted footway and the discrepancy regarding kerbs at the site access can be resolved appropriately by imposition of planning condition. DfI also confirm that a Private Streets Determination is not required.</p>
6.23	<p>DfI has suggested a number of planning conditions in relation to the proposal, including the complete closure of the existing gates of the vehicular access onto Carolan Road. The site layout indicates a bollard to be erected to prevent any vehicles from using the gate. Given the concern is about vehicular use of this access rather than use by pedestrians, it is considered more appropriate for the planning condition to relate to the erection of the bollard to prevent its use for vehicular traffic. This would also mean that the gate could potentially remain open for pedestrian and cycle access.</p>
6.24	<p>Throughout the planning application, the proposed access arrangements have evolved from use of the existing Carolan Road access (with alterations) to the current proposed access from Ormeau Road. DfI Roads had objected to the use of the Carolan Road access on road safety grounds. As previously noted, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to 'Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic', which represents a legitimate 'fall-back' for the applicant. A significant volume of objections were received in relation to the originally proposed Carolan Road Access. One further objection has been received in relation to the proposed revised access, however, it is considered that the proposed access directly on to the Ormeau Road is an improvement in terms of accessibility and road safety. Crucially, DfI Roads has no objection to the proposed revised access arrangements.</p>
6.25	<p>It is noted that a number of objections suggested the possibility of using the existing northerly access to the existing church car park, however, this is outside the red line boundary of the application, and is also not within the ownership of the applicant.</p>
6.26	<p>The proposed development includes weather protected cycle parking for 16 bicycles, with safe and convenient access for both cyclists and pedestrians. Public transport links are located nearby along the Ormeau Road, as well as close proximity to a Belfast Bikes station. Whilst the main access to the building is stepped, the proposal includes level</p>

	access via two other entrances. Internally, the proposed development includes two lifts to the upper floors.
6.27	The proposed means of access and parking arrangements are considered acceptable. It is advised that the proposal accords with Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN8.
6.28	<p>Impact on Listed Building</p> <p>As noted previously, the proposed development directly relates to a Grade B1 Listed Building (ref. HB26/01/062A), known as Good Shepherd Convent. Within the application site, there is another Grade B1 listed building, the Gate Lodge, Good Shepherd Convent Complex (ref. HB26/01/062B) which is not impacted by the proposal. Directly to the north of the site lies another Grade B1 listed building, the Chapel, Good Shepherd Convent Complex (ref. HB26/01/004). The amendment to the proposed site access has resulted in an additional opening within the stone wall surrounding the application site.</p>
6.29	The building has been vacant since 2018. It is considered that the proposed development will secure the building's upkeep and survival and the character, and that the architectural and historic interest of the building will be preserved. In this regard, the proposal is welcomed. It is considered that the proposed development will not impact detrimentally on the character of the listed gate lodge within the grounds of the site.
6.30	DfC Historic Environment Division (HED) has offered no objections. HED raised a number of issues within their original consultation response. Following submission of additional information, they advised that all the issues had been addressed. The architectural and historic qualities of the Listed Building would be safeguarded. It is considered that the proposed development complies with tests of Policy BH1.
6.31	<p>Residential Amenity</p> <p>The site is located next to two existing apartment buildings (directly to the west of the site). The proposed development does not include any new windows, alterations to the existing windows or any new lighting on the western elevation of the building. The windows on the first and second floor are proposed to serve offices, a meeting room, a staff amenity room and circulation space. The existing floor plans show offices and staff amenity room on the first floor with artists' studio and store room on the second. Furthermore, a new emergency exit door is located at the back of the building which grants access to an existing courtyard. There is currently a door accessing this courtyard but it is proposed to be closed up and replaced. It is not considered that the proposal will give rise to any unacceptable detrimental impacts on existing residents of the apartments. Whilst views of the apartment buildings will be achievable from the offices, this should not result in an unacceptable impact from overlooking.</p>
6.32	BCC Environmental Health (EHO) notes that the Service Management Plan (SMP) dated September 2020 states that the proposal includes additional on-site sanitary and amenity areas including an on-site gym / work out area for staff. Consequently, EHO has advised conditions limiting the use of the area from 18:00 – 08:00 and not permitting the use of amplified music. It is noted that the latest SMP dated July 2022 does not refer to the use of any on-site gym / work out area, therefore there, it is unnecessary to impose the conditions as suggested by EHO.
6.33	The proposal includes several bin stores within the proposed layout. Following consultation with EHO and BCC Building Control (BC), it is not considered that this will result in an unacceptable detrimental impact in terms of odour or vermin.

	<p>Impact on Trees</p>
6.34	<p>The application site is covered by a group Tree Preservation Order (TPO). The proposed development results in the loss of 14 no. existing trees from the site, due to changes to the existing layout. 6 no. of the 14 no. trees proposed for removal are contained within the TPO, specifically tree numbers 14, 19, 25, 28, 29 and 53. The below information relates to the trees proposed for removal and their condition, according to the submitted tree survey:</p>
6.35	<p>Tree 11 – Dead Tree 14 – Fair (TPO) Tree 19 – Fair (TPO) Tree 20 – Poor Tree 23 – Fair Tree 24 (Group) – Poor Tree 25 – Fair (TPO) Tree 26 – Fair Tree 28 – Fair (TPO) Tree 29 – Fair (TPO) Tree 37 – Poor Tree 38 – Poor Tree 53 – Fair (TPO)</p>
6.36	<p>The Council's Tree and Landscaping Officer (TLO) has advised that <i>'the trees to be removed are mainly evergreen grouped as high hedging, poor condition, or young in age typically less than 5m in height and limited in terms of visual amenity offering in contrast to trees being retained as part of the application'</i>.</p>
6.37	<p>The proposed layout has been amended during the process of the application. As noted in Para 6.17, the revised layout shows a new proposed access directly on to the Ormeau Road. Following submission of this amended drawing, the TLO advised of concerns regarding the impact on the protected trees in proximity to the access. The TLO stated that construction of the access should not reduce existing grass levels as that may potentially result in root severance and root compaction. Use of ground protection measures were recommended, whereby ground surface should be finished in a porous material to allow passage of water and nutrients. The TLO also provided advice in relation to foundations of the proposed wall and paving areas. The agent has provided additional information following these comments, advising that no reductions in ground level are required (topographical information submitted) and that only the footpaths either side of the new entrance road encroach on Root protection zones (RPZs). In the event of approval, the applicant is content that a condition is applied requiring surfacing in a permeable material. The applicant also advised that there is no new wall proposed, however, a section of existing wall will be taken down to accommodate the new access. The applicant also clarified that the only paving proposed is at the entrance to the building, away from RPZs. The TLO has been consulted following submission of the additional information and a response has not been received prior to publication. Delegated authority is sought to resolve any outstanding tree matters.</p>
6.38	<p>The site layout includes provision for parking of 32 cars, bin stores, substation and additional landscaping. The latest plans indicate that Trees 21 and 22 are to be retained, which is welcomed as they both offer existing amenity value and provide opportunities for wildlife to flourish. Furthermore, the parking layout has been amended, which will help to reduce any future impacts on the adjacent tree 42. A condition is recommended to require the installation of protective measures such as raised ropes to prevent cars parking on the grass and encroaching the RPZs.</p>

6.39	<p>9 no. semi-mature trees are proposed as part of the application planted at heights of 4.25m + comprising of field maple, Norway maple, oak, birch and tulip trees planted across the site along with 13 no. ornamental / topiary proposed trees consisting of holly and bay laurel complemented with a large mix of shrub planting. The TLO advises that <i>'mature existing trees of various species along with proposed landscaping (if managed and maintained to establish in healthy form) should help continue to create future amenity value within the site, promote biodiversity and offer a sense of place-making'</i>.</p>
6.40	<p>Subject to resolution of the outstanding issues and further comments from the TLO, the proposal is considered to satisfy Policy TRE1.</p>
<p>Other environmental issues</p>	
<p><i>Ecology:</i></p>	
6.41	<p>An Ecological Statement and Biodiversity Checklist were submitted in support of the proposed development. The ecological statement contained information on bats, indicating that both buildings on site have negligible roosting potential, however, two trees on site have moderate suitability for roosting bats. DAERA NIEA Natural Environment Division (NED) are content that the two trees are proposed for retention as part of the development. Information has been submitted in relation to external lighting within the site. NED are content with the lighting proposals, recommending that the proposed lighting measures are implemented fully. With regard to impact on breeding birds, NED recommend that any tree felling and vegetation clearance within the site should be completed outside of the bird breeding season. NED have no objections to the proposed development, subject to conditions. It is considered that the proposal will not have an unacceptable impact on sites, habitats, species, ecosystems or networks that are important for their nature conservation, biodiversity or geodiversity value. The proposal complies with Policy NH1.</p>
<p><i>Environmental Impact Assessment:</i></p>	
6.42	<p>The proposed development has a site area of 0.57 Ha and therefore falls within Schedule 2, Part 10 (b) 'Urban development projects, including the construction of shopping centres and car parks' of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as the area of site would exceed 0.5 Ha.</p>
6.43	<p>Consequently, the proposed development was screened in accordance with the above Regulations. It is considered that the proposal does not have the potential for significant environmental impacts by reason of size, nature and location therefore an Environmental Statement was not required.</p>
<p><i>Sewage / Drainage:</i></p>	
6.44	<p>NI Water (NIW) confirms that there is available capacity to serve the proposed development, however, they advise that the developer should consult with NIW at an early design stage by means of a Pre development enquiry (PDE) to obtain details of availability of existing water / sewerage infrastructure. The proposal accords with Policy SP1a.</p>
<p><i>Climate Change:</i></p>	
6.45	<p>The proposal provides a sustainable and long term use for an existing vacant listed building which will secure the maintenance and upkeep of an important heritage asset. The proposal has been sensitively designed to ensure retention of existing fabric. The proposal includes permeable parking bays throughout the car park and largely retains the majority of existing soft landscaped areas within the site. It is considered that the proposal includes</p>

6.46	<p>measures to manage surface water effectively on site and reduce water runoff. The proposal is considered to accord with Policies ENV2, ENV3 and ENV5.</p> <p><i>Waste management:</i></p> <p>Further to receipt of objections regarding proposed waste management, BCC Building Control (BC) were consulted and they advise that the proposal has sufficient development opportunity to comply with the Building Regulations in this regard. Furthermore, BC also advised that the proposal had sufficient development opportunity to comply with Regulations in respect of fire safety and access / facilities for disabled people.</p>
7.0	Recommendation
7.1	Having regard to the statutory development plan and material considerations, the proposed development and works are considered acceptable.
7.2	It is recommended that planning permissions and Listed Building Consent are granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.
<p>CONDITIONS:</p> <p>LA04/2020/1901/F</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The vehicular access onto Ormeau Road shall be constructed in accordance with PSD Drawing No 7002 Rev P01, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure safe and convenient access to the development.</p> <p>3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.</p> <p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>4. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times. All such areas must be permanently retained in accordance with the approved plans.</p> <p>Reason: To ensure adequate car parking within the site.</p> <p>5. The access gradient to the Ormeau Road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p>	

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

6. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan dated Jul 2022.

Reason: In the interests of road safety and convenience of road users.

7. The development hereby approved shall not be occupied or operated unless in accordance with the approved workplace Framework Travel Plan dated July 2022.

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

8. Prior to the occupation of the proposed development, the proposed bollard located in front of the Carolan Road Access gates shall be constructed as per Drawing No. 14G and permanently retained as such.

Reason: To prevent vehicular use of the access in the interests of road safety.

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

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

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

Reason: In the interests of visual amenity.

11. Prior to any works commencing on site, protective barriers (fencing) and ground protection measures shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. If roots are accidentally damaged, the Council must be notified immediately in writing and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing vegetation.

13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

14. Prior to occupation of the hereby approved development, the Lighting Plan shall be implemented in accordance with the approved details and retained permanently, unless otherwise agreed in writing by the Council. The Plan shall conform with the methodology set out in the Arup Technical Note dated 29th January 2021. There shall be no external lighting unless in accordance with the approved details.

Reason: To minimise the impact of the proposal on bats and other wildlife.

15. No demolition/tree felling/clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition/tree felling/clearance works and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

16. A soft-felling approach shall be implemented for the felling or arboricultural works on any tree assessed as having low bat roost potential. Should any bats be discovered during felling, the Council must be contacted immediately.

Reason: To protect bats

17. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All car parking spaces shall be constructed using permeable materials, in accordance with the approved plans.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

19. Notwithstanding the submitted details, the development hereby approved shall not be occupied or operated unless details of the proposed pedestrian footways on either side of the site access has been submitted to and approved in writing by the Council. The footways shall be constructed with permeable materials. The development shall not be carried out unless in accordance with the approved scheme, which shall be retained as such thereafter.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

20. The development hereby approved shall not be occupied or operated unless timber bollards have been constructed in accordance with the approved Drawing No. 14G and the submitted details. The timber bollards shall be permanently retained.

Reason: To prevent cars parking on the grassed areas so as to safeguard the setting of the Listed Building and prevent damage to trees.

LA04/2020/1899/LBC

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

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

LA04/2022/1677/F

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The vehicular access onto Ormeau Road shall be constructed in accordance with PSD Drawing No 7002 Rev P01, prior to the commencement of any other works or other development hereby permitted.

Reason: To ensure safe and convenient access to the development.

3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

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

Reason: To ensure adequate car parking within the site.

5. The access gradient to the Ormeau Road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

6. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan dated Jul 2022.

Reason: In the interests of road safety and convenience of road users.

7. The development hereby approved shall not be occupied or operated unless in accordance with the approved workplace Framework Travel Plan dated July 2022.

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

8. Prior to the occupation of the proposed development, the proposed bollard located in front of the Carolan Road Access gates shall be constructed as per Drawing No. 14G and permanently retained as such.

Reason: To prevent vehicular use of the access in the interests of road safety.

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

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

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

Reason: In the interests of visual amenity.

11. Prior to any works commencing on site, protective barriers (fencing) and ground protection measures shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. If roots are accidentally damaged, the Council must be notified immediately in writing and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing vegetation.

13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

14. Prior to occupation of the hereby approved development, the Lighting Plan shall be implemented in accordance with the approved details and retained permanently, unless otherwise agreed in writing by the Council. The Plan shall conform with the methodology set out in the Arup Technical Note dated 29th January 2021. There shall be no external lighting unless in accordance with the approved details.

Reason: To minimise the impact of the proposal on bats and other wildlife.

15. No demolition/tree felling/clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition/tree felling/clearance works and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

16. A soft-felling approach shall be implemented for the felling or arboricultural works on any tree assessed as having low bat roost potential. Should any bats be discovered during felling, the Council must be contacted immediately.

Reason: To protect bats

17. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All car parking spaces shall be constructed using permeable materials, in accordance with the approved plans.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

19. Notwithstanding the submitted details, the development hereby approved shall not be occupied or operated unless details of the proposed pedestrian footways on either side of the site access has been submitted to and approved in writing by the Council. The footways shall be constructed with permeable materials. The development shall not be carried out unless in accordance with the approved scheme, which shall be retained as such thereafter.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

20. The development hereby approved shall not be occupied or operated unless timber bollards have been constructed in accordance with the approved Drawing No. 14G and the submitted details. The timber bollards shall be permanently retained.

Reason: To prevent cars parking on the grassed areas so as to safeguard the setting of the Listed Building and prevent damage to trees.

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 th September 2023	
Application ID: LA04/2020/1901/F LA04/2020/1899/LBC LA04/2022/1677/F LA04/2022/1679/LBC	
<p>Proposal: LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information)</p> <p>LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings)</p> <p>LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).</p> <p>LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second</p>	<p>Location: Former Good Shepherd Centre, Lands at No's 511 and 511A Ormeau Road, Belfast, BT7 3GS</p>

floor of existing Good Shepherd Centre to office accommodation (Class B1).	
Referral Route: Councillor referral under paragraph 3.8.1 of the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Choice Housing Association Ireland Ltd Leslie Morrell House 37-41 May Street Belfast BT1 4DN	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>The applications seek full Planning Permissions and Listed Building Consents for an Office development at Former Good Shepherd Centre.</p> <p>The relevant applications are:</p> <ul style="list-style-type: none"> • LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) • LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) • LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). • LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). <p>Officers have discussed the need for this second Listed Building Consent application given that it seems to propose the works covered under application LA04/2020/1899/LBC. The applicant has verbally confirmed that the works are covered by the earlier application and it is expected that the second application will be withdrawn.</p> <p>The key issues in the assessment of the proposals are:</p> <ul style="list-style-type: none"> • Principle of office development • Impact on the Listed Building 	

- Impact on Residential Amenity
- Access, road safety and parking
- Impact on Trees
- Other environmental considerations

With respect to LA04/2020/1901/F, the Council has received 121 objections and for LA04/2020/1899/LBC, the Council has received 6 objections. Issues raised relate to transport / access / parking, trees, environment, principle of development, existing office use, built heritage, residential amenity, working patterns and procedural matters. There have been no objections received in relation to LA04/2022/1677/F and LA04/2022/1679/LBC.

Statutory Consultations

DfI Roads – No objection, subject to conditions

DfC Historic Environment Division (HED) – No objection, subject to conditions

DAERA NIEA – No objection, subject to conditions

Non-Statutory Consultations

BCC Environmental Health – No objection, subject to conditions

BCC Tree Officer – Awaiting further advice

BCC Building Control – No objection

Planning Service Plans and Policy team – Advice received (See main assessment)

Policy EC6 of the Plan Strategy relates to 'office accommodation' and Policy RET2 relates to 'out of centre development'. Outside designated areas, such as the city centre and district centres, the policy requires that development proposals must comply with the sequential approach. However, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to 'Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic'. The CLEUD establishes an office use for much of the building. The proposal includes a relatively modest extension to that previously approved by the CLEUD. Furthermore, the proposal secures the maintenance and use of a listed building which has been vacant for the last 5 years. Having regard to these considerations, the proposed office use is considered acceptable in principle.

The application site is located directly adjacent to a city corridor, known as Ormeau Road (arterial route, designated in the Draft Belfast Metropolitan Area Plan 2015. The proposed access is directly from the Ormeau Road. This access has been amended from the original proposed access directly from Carolan Road, which attracted a consideration number of objections. The revised proposal also includes the blocking off of the existing Carolan Road access. The existing gates at this access will be kept shut and a bollard erected to prevent any vehicle using the gate. DFI Roads have provided comments on the amended proposal and raises no objection subject to conditions.

The application site is covered by a Tree Preservation Order (TPO). The proposed development results in the loss of 14 no. existing trees from the site, due to changes to the existing layout. The Council's Tree and Landscaping Officer (TLO) has advised no objection to the proposed removal of some trees within the site owing to condition, age or species and is content with the compensatory planting proposed. The TLO has raised issues regarding the impact of the amended site access on protected trees. Additional information has been submitted to address these concerns, with the consultation response outstanding at time of publication. Notwithstanding this, it is considered that the additional information does not fully address the concerns raised as the amended site layout shows the Root protection zones (RPZs) of two trees partially encroaching on to the site access. It is considered that the issue can potentially be addressed by providing appropriate ground protection measures. Delegated authority is sought to resolve matters relating to trees.

The proposed development relates to a Grade B1 Listed Building (ref. HB26/01/062A), known as "Good Shepherd Convent". Within the application site, there is another Grade B1 listed building, the Gate Lodge, Good Shepherd Convent Complex (ref. HB26/01/062B) which is not impacted by the proposal. The main building has been vacant since 2018. It is considered that the proposed development will secure the building's upkeep and survival and the character and that the architectural and historic interest of the building will be preserved. DfC Historic Environment Division (HED) offers no objections.

The site is located next to two existing apartment buildings (directly to the west of the site). The proposed development does not include any new windows, alterations to the existing windows or any new lighting on the western elevation of the building. It is considered that the proposal will not give rise to any unacceptable detrimental impacts on existing residents of the apartments. Whilst views of the apartment buildings will be achievable from the offices, this should not result in an unacceptable impact from overlooking. Additionally, it is not considered that the proposal will give rise to significant noise, odour or vermin issues.

An Ecological Statement and Biodiversity Checklist were submitted in support of the proposed development. The ecological statement contained information on bats, indicating that both buildings on site have negligible roosting potential, however, two trees (proposed for retention) have moderate suitability for roosting bats. It is considered that the proposal will not have an unacceptable impact on sites, habitats, species, ecosystems or networks that are important for their nature conservation, biodiversity or geodiversity value. DAERA NIEA offers no objection subject to conditions.

The application is referred to the Committee following a request from Councillor de Faoite. Councillor de Faoite outlined concerns in relation to traffic, access, road safety, impact on trees and concerns regarding a previous appeal decision on the site.

Recommendation

Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.

It is recommended that planning permissions and Listed Building Consent are granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.

Officer Report

1.0

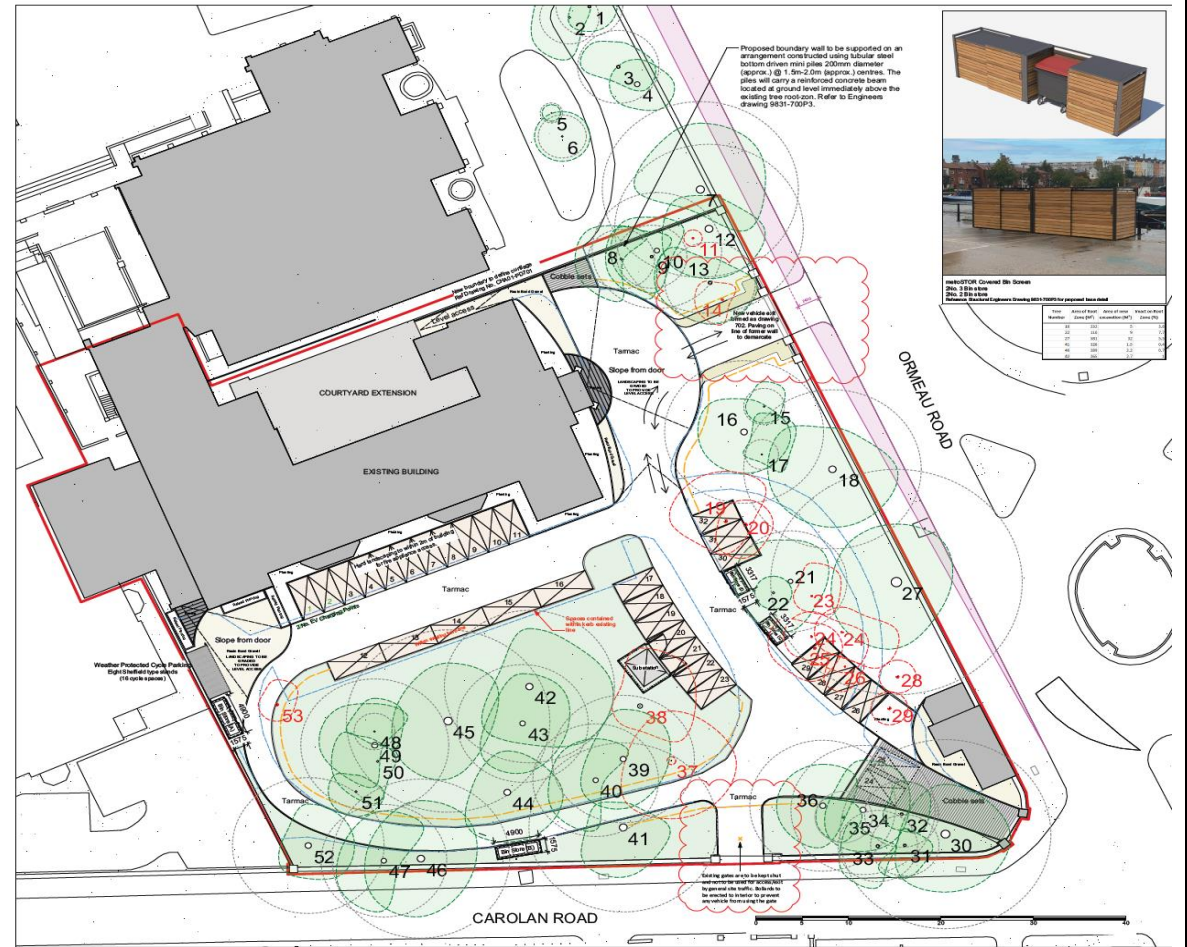
Drawings

1.1

Site Location Plan



Proposed Site Layout



2.0	Characteristics of the Site and Area
2.1	The application site is located at the former Good Shepherd Complex, No's 511 and 511A Ormeau Road. It is situated to the west of the Ormeau Road and North of Carolan Road.
2.2	The site is currently linked to the Good Shepherd Church, immediately to the north. The site is currently accessed via two existing two accesses, from the Ormeau Road (through the car park of Good Shepherd Church) and Carolan Road.
2.3	The building on the site is a Grade B1 listed building (ref. HB26/01/062 A). It is a 3.5 storey building in a Tudoresque Gothic style, finished in red brick with sandstone detailing. Within the wider site, there is also a two storey gate lodge and a car parking area to the south and east of the building. The site is also defined by several mature trees, along the southern and eastern portions of the site. These are subject to a group Tree Preservation Order. The southern and eastern boundaries of the site are defined by stone walls, with iron fencing on top, with two iron gates on the Carolan Road and junction of Carolan / Ormeau Road. The western boundary is defined by a brick wall, with the northern boundary undefined.
2.4	The surrounding area is characterised primarily by residential development, with a mix of apartments, terraced, semi detached and detached dwellings. Wellington College is located in proximity to the site, at the end of Carolan Road, whilst there are commercial uses further along Ormeau Road to the north and adjacent to the site within the listed cottages fronting onto the Ormeau Road.
3.0	Description of Proposal
3.1	This committee report relates to 4 applications (2 applications for full planning permission and 2 for Listed Building Consent). Overall, the applications relate to retention and reconfiguration of existing office and ancillary floorspace across the ground, first and second floors of the building, the provision of a new ground floor extension with mezzanine floor, internal / external works to the building, with external layout reconfigurations and ancillary works.
3.2	The proposal descriptions specify: LA04/2020/1901/F - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description, drawings and additional information) LA04/2020/1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first & second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings) LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).

	<p>LA04/2022/1679/LBC - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1).</p> <p>Officers have discussed the need for this second Listed Building Consent application given that it seems to propose the works covered under application LA04/2020/1899/LBC. The applicant has verbally confirmed that the works are covered by the earlier application and it is expected that the second application will be withdrawn.</p>
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p>
4.2	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Policies Belfast Agenda</p> <p>Relevant Planning History</p>
4.5	<p>Application Site:</p> <p>LA04/2021/2527/LDE - Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm), as shown on Drawing No. 02 uploaded to the planning portal on 18th November 2021. No use identified for the third floor attic (amended description) – Granted 5th April 2022</p> <p>Z/2009/0377/F - New access incorporating the demolition of a small portion of existing boundary wall on Carolan Road – Granted 22/6/09</p> <p>Z/2008/0887/F & Z/2008/0888/LB - Restoration of vacant listed gate lodge including change of use from dwelling to office accommodation with alterations – Granted</p> <p>Z/1995/1144 - Change of use from convent to offices – Allowed following appeal (Granted)</p> <p>Z/1994/0715 - Change of use from convent to offices – Refused</p> <p>Z/1993/0512 - Change of use of building previously used for voluntary work and associated administration to office use – Refused</p> <p>Z/1993/0200 & Z/1993/0201 - Change of use from convent to offices – Refused</p> <p>Z/1993/0077 - Change of use from convent to offices – Refused</p> <p>Z/1991/0437R – Mixed Housing Development (34 dwellings) with ancillary roads - Granted</p>

5.0	Consultations and Representations
5.1	<p>Statutory Consultations</p> <p>DfI Roads – No objection, subject to conditions</p> <p>DfC Historic Environment Division (HED) – No objection, subject to conditions</p> <p>DAERA NIEA – No objection, subject to conditions</p>
5.2	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health – No objection, subject to conditions</p> <p>BCC Tree Officer – Awaiting further advice</p> <p>BCC Building Control – No objection</p> <p>Planning Service Plans and Policy team – Advice received (See main assessment)</p>
5.3	<p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p> <p>Representations</p>
5.4	The applications have been advertised and neighbours notified.
5.5	With respect to LA04/2020/1901/F, the Council has received 121 objections and with respect to LA04/2020/1899/LBC, the Council has received 6 objections (note that the objections to the Listed Building Consent are also added to the full application as many of the issues raised are related to the full application, not the works to the listed building).
5.6	There have been no objections received in relation to LA04/2022/1677/F and LA04/2022/1679/LBC.
5.7	<p>The issues raised by objectors include:</p> <p><u>Transport</u></p> <ul style="list-style-type: none"> • Proposed new access from Ormeau Road will cause a significant road safety hazard and result in additional traffic delays due to proximity to the roundabout at Ravenhill Road junction and existence of bus lanes at peak times. • More appropriate to allow intensification of existing northern access point. • Transport issues may be compounded by proposals for BRT2 (Rapid Transit) as there is no provision for right turning lane into site. • Existing entrance to site poses a safety risk to pedestrians and road users. • Carolan Road is already congested, particularly in the mornings and afternoons, due to presence of the nearby Secondary school, Primary School and Nursery. • Proposal will exacerbate issues of parking on Carolan Road. The road is already congested with double parking. • Proposed development does not provide adequate parking for number of staff and visitors. • Proposed number of parking spaces is a large underestimation of how many cars are likely to be used, given number of staff in attendance. Choice HA also plan to use the building as a training hub which will increase demand for parking. • Existing junction of Carolan Road and Ormeau Road is a 'blind spot' with potential for serious traffic accident. • Existing entrance on to Carolan Road is rarely, if ever, used and the proposed development should utilise the existing access on Ormeau Road. • Existing entrance on to Carolan Road has only ever been used as an exit. • Proposed 2 way access is located directly opposite and in very close proximity to an existing vehicular access serving a dwelling.

- Proposed car park will be destructive to the area – the proposal should utilise the ample unused parking space within the existing Church car park.
- Transport Engineers' submitted information challenged by objector(s). The Council should demand proper inspection by DfI. Issues with timing of reports / Assessments during school closures, Covid lockdowns etc.
- Independent body should complete a risk assessment in relation to the applicant's traffic plans.
- Carolan Road is already being operated on a voluntary basis as a one way inward road with egress via Rosetta Avenue.
- Office staff should be encouraged to use bicycles and public transport.
- Parking partnership with the Good Shepherd Church should be considered.
- Site is well served by public transport.
- Local resident has provided a parking survey of traffic movements in the morning, at the junction of Carolan Road and Ormeau Road.
- Choice HA business requires staff to be on site during the day, therefore requiring vehicular transport. Submitted information does not include this detail.
- Potential obstruction of footpath during bin collection.
- Issues raised regarding availability of safety plans from the 1990s and enquiry if these plans are available to view.
- Neighbour's right of way is being restricted as a result of the proposal.

Trees / Environment

- Proposed development will negatively impact on the existing trees within the application site.
- Concerns raised regarding the long term health of the existing mature trees on site.
- Many of the impacted trees are over 100 years old and many have 'conservation orders'.
- Removal of trees cannot be justified.
- Existing trees provide significant amenity value and part of the natural heritage of the area.
- BCC has committed to planting 1 million trees by 2035, therefore existing trees should also be retained.
- Existing trees provide privacy and protection from overlooking.
- Existing trees muffle noise / absorb fumes from the nearby roads / traffic.
- Existing trees provide shade in the summer.
- Existing trees help soften the backdrop to the existing building and provide a backdrop to the adjacent listed cottages.
- Proposed to remove trees to facilitate car parking does not result in a sustainable development.
- Tree Preservation Order (TPO) should be placed on the existing trees on site.
- Existing trees and mature vegetation should be preserved, in light of climate change, particulate pollutants and flooding threats.
- Green spaces should be protected for environmental / biodiversity reasons, as well as positive impact on health and wellbeing.
- Mature trees should be retained – help absorb CO2, produce oxygen, assist with air quality and retention of carbon.
- Parking could be accommodated on Carolan Road and Ormeau Road, instead of removing trees to facilitate a car park.
- Replacement of the trees / garden with a hard surface will exacerbate flooding issues.

- Existing trees are visible from a number of perspectives, which adds to the historic landmark on the Ormeau Road.
- Trees / Garden Area has been a precious tranquil respite in the area since the Centre was built in the 1850s.
- Detrimental impact on wildlife, such as bats and birds.
- Concern that no Environmental Impact Assessment has been carried out by the developer.

Existing Office Use

- Concern raised regarding the assumption that Good Shepherd Building was used as commercial offices prior to purchase by the developer.
- Limited numbers of people (5-10 max) occupied the offices when previously used by the Down and Connor Diocese.
- Proposal to use the offices as a commercial enterprise is clearly a different form of use than use as parish offices.
- Access to the offices was via the Good Shepherd church car park. Proposed access gate on Carolan Road was not used historically until Choice HA have started opening it regularly post purchase of the site.

Built Heritage

- Concerns raised about impact on the character of the gate lodge.
- Detrimental impact of extension on character of the listed building and its surroundings.
- Concern raised regarding potential demolition of the facades of the listed building.
- Existing pillars are one of the most attractive aspects of the listed Building.
- Concerns regarding the removal of detailing / fabric from the building and failure to recycle / re-use.

Residential Amenity

- Potential overlooking towards nearby apartments – if window panes are replaced (patterned glass to transparent glass).
- Potential impact on residential amenity from lighting towards existing apartments.
- Possible amenity issues in relation to noise if outside space is used for socialising / smoking.
- Potential negative impact on infrastructure, such as broadband.
- Proposed bin store will have a detrimental impact on the local area, resulting in odour nuisance and vermin issues.
- Issues raised with the additional noise more housing would bring, particularly during construction.

New working patterns

- No need for new offices with the shift to home working patterns.
- Post Covid working patterns are evolving continually and no guarantee that Choice HA will continue with their flexible / hybrid approach.

Procedural / Technical

- Issue raised with proposal description – requesting clarification regarding ‘associated works’.

	<ul style="list-style-type: none"> • Issues raised with the notification process. • Issues raised regarding lack of bat information on the Planning portal. • Issues raised with availability of documents on the Planning Portal.
6.0	PLANNING ASSESSMENT
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p><u>Operational policies:</u> the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p><u>Proposals Maps:</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.6	<p>The application site is located on undesignated white land, in accordance with all of the above Plans.</p>
6.7	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SP1 – Growth strategy Policy SP2 – Sustainable development</p> <p>Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy BH1 – Listed Buildings Policy BH4 – Works to grounds affecting built heritage assets</p>

	<p>Policy EC6 – Office Development Policy RET1 – Establishing a Centre Hierarchy Policy RET2 – Out of Centre Development</p> <p>Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to Public Roads Policy TRAN8 – Car Parking and Servicing Arrangements</p> <p>Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change</p> <p>Policy NH1 – Protection of natural heritage resources Policy TRE1 – Trees</p> <p>Key Issues</p> <p>6.8 The key issues for consideration of the applications are:</p> <ul style="list-style-type: none"> • Principle of office development • Impact on the Listed Building • Impact on Residential Amenity • Access, road safety and parking • Impact on Trees • Other environmental considerations <p>6.9 Principle of office development The application site is located outside the city centre and any district or local centres. It is also located outside any major or strategic employment locations and any designated office areas / nodes. Consequently, Policy EC6 directs that proposals for use class B1(a) must comply with the sequential approach.</p> <p>6.10 However, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to ‘Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists’ studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic’. The CLEUD establishes an office use for much of the building.</p> <p>6.11 It is noted that the planning history includes an approval for ‘Change of use from convent to offices’ under ref. Z/1995/1144. The development was granted following appeal and was subject to 4 conditions, three of which were conditions precedent, requiring construction of site access, provision of parking and landscaping prior to the change of use taking place. These works were not completed, therefore, it is not considered that this planning approval was lawfully commenced.</p> <p>6.12 Application ref. LA04/2020/1901/F includes a new mezzanine extension at ground floor level, resulting in an increase of 339 sq metres in floorspace. Application ref. LA04/2022/1677/F relates to a Change of use from artist’s studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). This application relates to 169 sq metres of floor space and is required following the grant of the aforementioned CLEUD.</p>
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6.13	The proposed development relates to a Class B1 Use on ground, first and second floor, the same class as previously established on the ground and first floor by the CLEUD. An objection queried whether the proposed use class is different from the previous use as parish offices. From the information submitted, the previous office use was in association with the overall Down and Connor diocese, not just the local parish. It is considered that there is no differentiation in either use class (Use Class B1).
6.14	The submitted drawings show the breakdown of specific use per room within the building, i.e. office, meeting, amenity, circulation, sanitary, store, plant / IT etc. Actual proposed office floorspace accounts for 1,018 sqm within the building. The CLEUD approved 841 sq metres of office floorspace within the building. The proposed development results in an uplift of 177 sqm of office floorspace. It is noted that the proposed development also includes an uplift in terms of amenity, meeting, sanitary and IT / Plant space.
6.15	The proposal relates to the use of an existing listed building as an office (Use Class B1). The existing floorspace of the listed building is approximately 2,931 sqm. The proposal includes a relatively modest extension (339 sq metres) and the use of former artists' studios (169 sq metres) as offices. The proposed extension is an open plan area at ground floor to be used as a 'Community hub' with a meeting room located at mezzanine level.
6.16	Policy EC6 relates to 'office accommodation'. Outside designated areas, such as the city centre and district centres, the policy requires that development proposals must comply with the sequential approach, with those in excess of 1,000 square metres gross floor space accompanied with an impact assessment and an assessment of need (as set out in Policy RET2).
6.17	<p>Policy RET2 relates to 'out of centre development'. It states that proposals for main town centre uses outside of existing centres must:</p> <ul style="list-style-type: none"> a) Demonstrate that there is not a sequentially preferable site in, or on the edge of, centres having regard to a suitable criteria of suitability, availability and viability. b) Submit a retail impact assessment and assessment of need for proposals that have a floorspace of 1000 sq m gross and above.
6.18	The Planning Service's Plans and Policy team were consulted on the application. It advises that as the proposal includes an uplift of office floorspace, a sequential test should be provided to demonstrate compliance with the policy. However, the proposal includes a relatively modest extension to that previously approved by the CLEUD. Furthermore, the proposal secures the maintenance and use of a listed building which has been vacant for the last 5 years. Having regard to these considerations, the proposed use is considered acceptable in principle.
6.19	<p>Access, Road Safety & Parking</p> <p>The application site is located directly adjacent to a city corridor, known as Ormeau Road (arterial route, designated in dBMAP 2015). The proposed access is directly from the Ormeau Road. This access has been amended from the original proposed access directly from Carolan Road, which attracted a considerable number of objections. The midpoint of the proposed access is located approximately 34 metres to the northwest of the existing Ravenhill Rd / Ormeau Rd roundabout. The proposal also includes the blocking off of the existing Carolan Road access. The existing gates at this access will be kept shut and a bollard erected to prevent any vehicle using the gate.</p>
6.20	Historically, it was possible to access the site via two accesses: the main church gate on Ormeau Road and the aforementioned access gate on Carolan Road (previously approved under ref. Z/2009/0377/F).

6.21	<p>The proposed development includes parking for a total of 32 no. cars. The Transport Assessment Form (TAF) and Framework Travel Plan (FTP) give an indication of how trips to and from the development will be managed and undertaken. Choice Housing Association (HA) currently employs approx. 256 staff which utilise offices across NI. Choice HA have adopted a hybrid working policy which has changed staff working patterns in relation to the number of days staff are required to attend the main office (the proposed development) or one of the remote offices, with the expectation that most staff will work from home. The TAF indicates that this will continue as part of the HA's current and future working practices and it is expected that approx. 68 staff will attend Carolan Road on a daily basis. The TAF also shows a breakdown of the multimodal trips, with 29% of daily visitors using the car to attend the office. As noted previously, a FTP has been submitted which aims to encourage staff / visitors to use more sustainable forms of travel, encourage flexible working arrangements and reduce need to travel by single car occupancy. DfI Roads have suggested imposition of a condition requiring the development to operate in accordance with the FTP. This would be of benefit, noting that the existing lawful use of the building with offices is unfettered and not subject to a FTP.</p>
6.22	<p>DfI Roads has provided comments on the latest amended drawings showing the proposed revised access onto Ormeau Road. The consultation response details conflicting information within the submitted drawings in relation to visibility splays and how the access will be formed (lowered kerbs / return kerbs). DfI advises that the visibility splay issue is not relevant as the splays are over a currently adopted footway and the discrepancy regarding kerbs at the site access can be resolved appropriately by imposition of planning condition. DfI also confirm that a Private Streets Determination is not required.</p>
6.23	<p>DfI has suggested a number of planning conditions in relation to the proposal, including the complete closure of the existing gates of the vehicular access onto Carolan Road. The site layout indicates a bollard to be erected to prevent any vehicles from using the gate. Given the concern is about vehicular use of this access rather than use by pedestrians, it is considered more appropriate for the planning condition to relate to the erection of the bollard to prevent its use for vehicular traffic. This would also mean that the gate could potentially remain open for pedestrian and cycle access.</p>
6.24	<p>Throughout the planning application, the proposed access arrangements have evolved from use of the existing Carolan Road access (with alterations) to the current proposed access from Ormeau Road. DfI Roads had objected to the use of the Carolan Road access on road safety grounds. As previously noted, the application site has the benefit of a Certificate of lawfulness for existing development (CLEUD) relating to 'Mixed Use of the Property comprising office (Class B1) on ground and first floor; and artists' studios (Class D1) on part of the second floor (up to 169 sqm). No use identified for the third floor attic', which represents a legitimate 'fall-back' for the applicant. A significant volume of objections were received in relation to the originally proposed Carolan Road Access. One further objection has been received in relation to the proposed revised access, however, it is considered that the proposed access directly on to the Ormeau Road is an improvement in terms of accessibility and road safety. Crucially, DfI Roads has no objection to the proposed revised access arrangements.</p>
6.25	<p>It is noted that a number of objections suggested the possibility of using the existing northerly access to the existing church car park, however, this is outside the red line boundary of the application, and is also not within the ownership of the applicant.</p>
6.26	<p>The proposed development includes weather protected cycle parking for 16 bicycles, with safe and convenient access for both cyclists and pedestrians. Public transport links are located nearby along the Ormeau Road, as well as close proximity to a Belfast Bikes station. Whilst the main access to the building is stepped, the proposal includes level</p>

	access via two other entrances. Internally, the proposed development includes two lifts to the upper floors.
6.27	The proposed means of access and parking arrangements are considered acceptable. It is advised that the proposal accords with Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN8.
6.28	<p>Impact on Listed Building</p> <p>As noted previously, the proposed development directly relates to a Grade B1 Listed Building (ref. HB26/01/062A), known as Good Shepherd Convent. Within the application site, there is another Grade B1 listed building, the Gate Lodge, Good Shepherd Convent Complex (ref. HB26/01/062B) which is not impacted by the proposal. Directly to the north of the site lies another Grade B1 listed building, the Chapel, Good Shepherd Convent Complex (ref. HB26/01/004). The amendment to the proposed site access has resulted in an additional opening within the stone wall surrounding the application site.</p>
6.29	The building has been vacant since 2018. It is considered that the proposed development will secure the building's upkeep and survival and the character, and that the architectural and historic interest of the building will be preserved. In this regard, the proposal is welcomed. It is considered that the proposed development will not impact detrimentally on the character of the listed gate lodge within the grounds of the site.
6.30	DfC Historic Environment Division (HED) has offered no objections. HED raised a number of issues within their original consultation response. Following submission of additional information, they advised that all the issues had been addressed. The architectural and historic qualities of the Listed Building would be safeguarded. It is considered that the proposed development complies with tests of Policy BH1.
6.31	<p>Residential Amenity</p> <p>The site is located next to two existing apartment buildings (directly to the west of the site). The proposed development does not include any new windows, alterations to the existing windows or any new lighting on the western elevation of the building. The windows on the first and second floor are proposed to serve offices, a meeting room, a staff amenity room and circulation space. The existing floor plans show offices and staff amenity room on the first floor with artists' studio and store room on the second. Furthermore, a new emergency exit door is located at the back of the building which grants access to an existing courtyard. There is currently a door accessing this courtyard but it is proposed to be closed up and replaced. It is not considered that the proposal will give rise to any unacceptable detrimental impacts on existing residents of the apartments. Whilst views of the apartment buildings will be achievable from the offices, this should not result in an unacceptable impact from overlooking.</p>
6.32	BCC Environmental Health (EHO) notes that the Service Management Plan (SMP) dated September 2020 states that the proposal includes additional on-site sanitary and amenity areas including an on-site gym / work out area for staff. Consequently, EHO has advised conditions limiting the use of the area from 18:00 – 08:00 and not permitting the use of amplified music. It is noted that the latest SMP dated July 2022 does not refer to the use of any on-site gym / work out area, therefore there, it is unnecessary to impose the conditions as suggested by EHO.
6.33	The proposal includes several bin stores within the proposed layout. Following consultation with EHO and BCC Building Control (BC), it is not considered that this will result in an unacceptable detrimental impact in terms of odour or vermin.

	<p>Impact on Trees</p> <p>6.34 The application site is covered by a group Tree Preservation Order (TPO). The proposed development results in the loss of 14 no. existing trees from the site, due to changes to the existing layout. 6 no. of the 14 no. trees proposed for removal are contained within the TPO, specifically tree numbers 14, 19, 25, 28, 29 and 53. The below information relates to the trees proposed for removal and their condition, according to the submitted tree survey:</p> <p>6.35 Tree 11 – Dead Tree 14 – Fair (TPO) Tree 19 – Fair (TPO) Tree 20 – Poor Tree 23 – Fair Tree 24 (Group) – Poor Tree 25 – Fair (TPO) Tree 26 – Fair Tree 28 – Fair (TPO) Tree 29 – Fair (TPO) Tree 37 – Poor Tree 38 – Poor Tree 53 – Fair (TPO)</p> <p>6.36 The Council's Tree and Landscaping Officer (TLO) has advised that <i>'the trees to be removed are mainly evergreen grouped as high hedging, poor condition, or young in age typically less than 5m in height and limited in terms of visual amenity offering in contrast to trees being retained as part of the application'</i>.</p> <p>6.37 The proposed layout has been amended during the process of the application. As noted in Para 6.17, the revised layout shows a new proposed access directly on to the Ormeau Road. Following submission of this amended drawing, the TLO advised of concerns regarding the impact on the protected trees in proximity to the access. The TLO stated that construction of the access should not reduce existing grass levels as that may potentially result in root severance and root compaction. Use of ground protection measures were recommended, whereby ground surface should be finished in a porous material to allow passage of water and nutrients. The TLO also provided advice in relation to foundations of the proposed wall and paving areas. The agent has provided additional information following these comments, advising that no reductions in ground level are required (topographical information submitted) and that only the footpaths either side of the new entrance road encroach on Root protection zones (RPZs). In the event of approval, the applicant is content that a condition is applied requiring surfacing in a permeable material. The applicant also advised that there is no new wall proposed, however, a section of existing wall will be taken down to accommodate the new access. The applicant also clarified that the only paving proposed is at the entrance to the building, away from RPZs. The TLO has been consulted following submission of the additional information and a response has not been received prior to publication. Delegated authority is sought to resolve any outstanding tree matters.</p> <p>6.38 The site layout includes provision for parking of 32 cars, bin stores, substation and additional landscaping. The latest plans indicate that Trees 21 and 22 are to be retained, which is welcomed as they both offer existing amenity value and provide opportunities for wildlife to flourish. Furthermore, the parking layout has been amended, which will help to reduce any future impacts on the adjacent tree 42. A condition is recommended to require the installation of protective measures such as raised ropes to prevent cars parking on the grass and encroaching the RPZs.</p>
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6.39	<p>9 no. semi-mature trees are proposed as part of the application planted at heights of 4.25m + comprising of field maple, Norway maple, oak, birch and tulip trees planted across the site along with 13 no. ornamental / topiary proposed trees consisting of holly and bay laurel complemented with a large mix of shrub planting. The TLO advises that <i>'mature existing trees of various species along with proposed landscaping (if managed and maintained to establish in healthy form) should help continue to create future amenity value within the site, promote biodiversity and offer a sense of place-making'</i>.</p>
6.40	<p>Subject to resolution of the outstanding issues and further comments from the TLO, the proposal is considered to satisfy Policy TRE1.</p>
<p>Other environmental issues</p>	
<p><i>Ecology:</i></p>	
6.41	<p>An Ecological Statement and Biodiversity Checklist were submitted in support of the proposed development. The ecological statement contained information on bats, indicating that both buildings on site have negligible roosting potential, however, two trees on site have moderate suitability for roosting bats. DAERA NIEA Natural Environment Division (NED) are content that the two trees are proposed for retention as part of the development. Information has been submitted in relation to external lighting within the site. NED are content with the lighting proposals, recommending that the proposed lighting measures are implemented fully. With regard to impact on breeding birds, NED recommend that any tree felling and vegetation clearance within the site should be completed outside of the bird breeding season. NED have no objections to the proposed development, subject to conditions. It is considered that the proposal will not have an unacceptable impact on sites, habitats, species, ecosystems or networks that are important for their nature conservation, biodiversity or geodiversity value. The proposal complies with Policy NH1.</p>
<p><i>Environmental Impact Assessment:</i></p>	
6.42	<p>The proposed development has a site area of 0.57 Ha and therefore falls within Schedule 2, Part 10 (b) 'Urban development projects, including the construction of shopping centres and car parks' of The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017 as the area of site would exceed 0.5 Ha.</p>
6.43	<p>Consequently, the proposed development was screened in accordance with the above Regulations. It is considered that the proposal does not have the potential for significant environmental impacts by reason of size, nature and location therefore an Environmental Statement was not required.</p>
<p><i>Sewage / Drainage:</i></p>	
6.44	<p>NI Water (NIW) confirms that there is available capacity to serve the proposed development, however, they advise that the developer should consult with NIW at an early design stage by means of a Pre development enquiry (PDE) to obtain details of availability of existing water / sewerage infrastructure. The proposal accords with Policy SP1a.</p>
<p><i>Climate Change:</i></p>	
6.45	<p>The proposal provides a sustainable and long term use for an existing vacant listed building which will secure the maintenance and upkeep of an important heritage asset. The proposal has been sensitively designed to ensure retention of existing fabric. The proposal includes permeable parking bays throughout the car park and largely retains the majority of existing soft landscaped areas within the site. It is considered that the proposal includes</p>

6.46	<p>measures to manage surface water effectively on site and reduce water runoff. The proposal is considered to accord with Policies ENV2, ENV3 and ENV5.</p> <p><i>Waste management:</i></p> <p>Further to receipt of objections regarding proposed waste management, BCC Building Control (BC) were consulted and they advise that the proposal has sufficient development opportunity to comply with the Building Regulations in this regard. Furthermore, BC also advised that the proposal had sufficient development opportunity to comply with Regulations in respect of fire safety and access / facilities for disabled people.</p>
7.0	Recommendation
7.1	Having regard to the statutory development plan and material considerations, the proposed development and works are considered acceptable.
7.2	It is recommended that planning permissions and Listed Building Consent are granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.
<p>CONDITIONS:</p> <p>LA04/2020/1901/F</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The vehicular access onto Ormeau Road shall be constructed in accordance with PSD Drawing No 7002 Rev P01, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure safe and convenient access to the development.</p> <p>3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.</p> <p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>4. The development hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and such areas shall remain free of obstruction for such use at all times. All such areas must be permanently retained in accordance with the approved plans.</p> <p>Reason: To ensure adequate car parking within the site.</p> <p>5. The access gradient to the Ormeau Road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p>	

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

6. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan dated Jul 2022.

Reason: In the interests of road safety and convenience of road users.

7. The development hereby approved shall not be occupied or operated unless in accordance with the approved workplace Framework Travel Plan dated July 2022.

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

8. Prior to the occupation of the proposed development, the proposed bollard located in front of the Carolan Road Access gates shall be constructed as per Drawing No. 14G and permanently retained as such.

Reason: To prevent vehicular use of the access in the interests of road safety.

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

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

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

Reason: In the interests of visual amenity.

11. Prior to any works commencing on site, protective barriers (fencing) and ground protection measures shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. If roots are accidentally damaged, the Council must be notified immediately in writing and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing vegetation.

13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

14. Prior to occupation of the hereby approved development, the Lighting Plan shall be implemented in accordance with the approved details and retained permanently, unless otherwise agreed in writing by the Council. The Plan shall conform with the methodology set out in the Arup Technical Note dated 29th January 2021. There shall be no external lighting unless in accordance with the approved details.

Reason: To minimise the impact of the proposal on bats and other wildlife.

15. No demolition/tree felling/clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition/tree felling/clearance works and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

16. A soft-felling approach shall be implemented for the felling or arboricultural works on any tree assessed as having low bat roost potential. Should any bats be discovered during felling, the Council must be contacted immediately.

Reason: To protect bats

17. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All car parking spaces shall be constructed using permeable materials, in accordance with the approved plans.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

19. Notwithstanding the submitted details, the development hereby approved shall not be occupied or operated unless details of the proposed pedestrian footways on either side of the site access has been submitted to and approved in writing by the Council. The footways shall be constructed with permeable materials. The development shall not be carried out unless in accordance with the approved scheme, which shall be retained as such thereafter.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

20. The development hereby approved shall not be occupied or operated unless timber bollards have been constructed in accordance with the approved Drawing No. 14G and the submitted details. The timber bollards shall be permanently retained.

Reason: To prevent cars parking on the grassed areas so as to safeguard the setting of the Listed Building and prevent damage to trees.

LA04/2020/1899/LBC

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

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

LA04/2022/1677/F

1. The development hereby permitted must be begun within five years from the date of this permission.

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

2. The vehicular access onto Ormeau Road shall be constructed in accordance with PSD Drawing No 7002 Rev P01, prior to the commencement of any other works or other development hereby permitted.

Reason: To ensure safe and convenient access to the development.

3. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

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

Reason: To ensure adequate car parking within the site.

5. The access gradient to the Ormeau Road shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

6. The development hereby permitted shall not be occupied or operated unless in accordance with the Service Management Plan dated Jul 2022.

Reason: In the interests of road safety and convenience of road users.

7. The development hereby approved shall not be occupied or operated unless in accordance with the approved workplace Framework Travel Plan dated July 2022.

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

8. Prior to the occupation of the proposed development, the proposed bollard located in front of the Carolan Road Access gates shall be constructed as per Drawing No. 14G and permanently retained as such.

Reason: To prevent vehicular use of the access in the interests of road safety.

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

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

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

Reason: In the interests of visual amenity.

11. Prior to any works commencing on site, protective barriers (fencing) and ground protection measures shall be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

12. If roots are accidentally damaged, the Council must be notified immediately in writing and given the opportunity to inspect the damage before it is covered over.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing vegetation.

13. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

14. Prior to occupation of the hereby approved development, the Lighting Plan shall be implemented in accordance with the approved details and retained permanently, unless otherwise agreed in writing by the Council. The Plan shall conform with the methodology set out in the Arup Technical Note dated 29th January 2021. There shall be no external lighting unless in accordance with the approved details.

Reason: To minimise the impact of the proposal on bats and other wildlife.

15. No demolition/tree felling/clearance works shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before demolition/tree felling/clearance works and provided written confirmation that no nests are present/birds will be harmed and/or there are appropriate measures in place to protect nesting birds. Any such written confirmation shall be submitted to the Council within 6 weeks of works commencing.

Reason: To protect breeding birds.

16. A soft-felling approach shall be implemented for the felling or arboricultural works on any tree assessed as having low bat roost potential. Should any bats be discovered during felling, the Council must be contacted immediately.

Reason: To protect bats

17. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree to be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Council. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 5837:2012 Trees.

Reason: To ensure the continuity of the biodiversity value afforded by existing trees.

18. All car parking spaces shall be constructed using permeable materials, in accordance with the approved plans.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

19. Notwithstanding the submitted details, the development hereby approved shall not be occupied or operated unless details of the proposed pedestrian footways on either side of the site access has been submitted to and approved in writing by the Council. The footways shall be constructed with permeable materials. The development shall not be carried out unless in accordance with the approved scheme, which shall be retained as such thereafter.

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees and to ensure sustainable drainage of the development.

20. The development hereby approved shall not be occupied or operated unless timber bollards have been constructed in accordance with the approved Drawing No. 14G and the submitted details. The timber bollards shall be permanently retained.

Reason: To prevent cars parking on the grassed areas so as to safeguard the setting of the Listed Building and prevent damage to trees.

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Committee Report	
Committee Meeting Date: 19 th September 2023	
Application ID: LA04/2021/1808/F	
Proposal: Proposed residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works.	Location: Lands South and East of 148-163 Lagmore View Lane North and West of 37 81 82 and 112 Lagmore Glen and Lagmore View Road, Belfast.
Referral Route: Major development (site area greater than 1 hectare)	
Recommendation:	Approval
Applicant Name and Address: Antrim Construction Company Ltd 130-134 High Street Holywood BT18 9HW	Agent Name and Address: TSA Planning Ltd 20 May Street Belfast BT1 4NL
Executive Summary: The application seeks full planning permission for a residential development comprising 14 dwellings (8 detached and 6 semi-detached), access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays and speed cushions to improve road safety along Lagmore View Road, and all associated site works. The key issues in the assessment of the application are: <ul style="list-style-type: none"> • Principle of Development (including Loss of Open Space) • Layout, scale and design • Traffic, Movement and Parking • Private Amenity Provision • New Open Space Provision • Impact on Amenity • Affordable Housing Provision • Drainage and Flooding • Other Environmental Matters • Impact on existing Electrical Infrastructure • Section 76 planning agreement • Pre-application Community Consultation <p>The principle of residential use and general layout has been established on the site through planning permission S/2010/0834/F which is extant and partially complete.</p> <p>The development is proposed on a sloping site located in the west of the city close to the settlement limits. The proposal would see 14 dwellings replace an approved block of 12 apartments and open space area, as previously approved as part of a larger scheme of 41 units, along with an area of open space and number of new traffic calming measures along Lagmore</p>	

View Road. The proposal also includes the development of a previously approved area of open space which runs along the south-western boundary of the site.

A significant component of the scheme is the realignment of the main access road (Lagmore View Road) which serves the site and wider area, with accompanying traffic calming measures to address an acknowledged road safety issues arising from existing road layout. The application, including road realignment has the support of the local community association.

Statutory Consultees

DFI Roads – Final response awaited

DAERA – No objection

DFI Rivers – No objection

NI Water – No objection

NI Housing Executive – Support

Non-Statutory Consultees

BCC Environmental Health – No objection

BCC Plans and Policy team – advice provided (see main assessment)

BCC Landscape Planning and Development Unit – advice provided (see main assessment)

NIE – No objection

Two letters of objection and two letters of support have been received. These are detailed in the main report.

It is recommended that planning permission is approved in the planning balance, given the overall benefits associated with the proposal, namely the improved road layout, landscaped open space and new housing including an element of affordable housing.

It is requested that delegated authority is given to the Director of Planning & Building Control to finalise the wording of conditions and Section 76 planning agreement – including the requirement to secure three of the units as affordable housing – and deal with any other issues that may arise from outstanding consultations.

Case Officer Report

Site Location Plan and Layout





1.0	Description of Proposed Development
1.1	The application seeks full planning permission for the erection of 14 dwellings (8 detached and 6 semi-detached), access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), minor road realignment and traffic calming measures along Lagmore View Road, and all associated site works.
1.2	The proposal alters a previously approved housing layout on a larger site consisting of 41 units, which included a single block of 12 apartments to the north and a strip of open space along the south / south-eastern boundary (S/2010/0834/F). The development is proposed on the site of the approved apartment block and open space.
1.3	12 of the proposed 14 units are accessed from the main access road which runs along the northern boundary of the site and ties in with the main Lagmore road network. Two of the units are accessed via the existing Lagmore View access road to the south-east. These access points provide links to existing public transport networks.
1.4	Importantly, the proposal also includes alterations to the Lagmore View Road intended to improve highway safety, including minor road realignment to straighten two existing speed control bends. The extent of speed control tables are also being reduced to minimise potential for motorists to mount the footpath. Speed control cushions are also being introduced as additional traffic calming measures. The applicant has presented a case that the proposed dwellings are necessary to fund these works.
2.0	Description of Site
2.1	The site is located on the western edge of the Belfast urban area and just within the settlement limits as defined the Belfast Urban Area Plan and in Draft Belfast Metropolitan Area Plan 2015 (both versions).
2.2	The application site is located east of neighbouring fields and lies between the residential properties on Lagmore View Road, Lagmore Glen and Lagmore View Lane. Application documentation defines the site as extending to 2.42ha, the majority of which (approximately 1.62ha) is existing road infrastructure and existing/proposed open space provision that is part laid in grass and part comprising rough ground and hardstanding.

<p>2.3</p> <p>2.4</p>	<p>The applicant has noted that part of the site was being temporarily used as a site compound during construction works, and this is not an uncommon situation.</p> <p>The site is located on the periphery of the Lagmore housing development with housing abutting the site to the north, west and south-west. The existing levels fall quite significantly from north to south through the site. Overhead powerlines traverse the site running close to, and parallel with, the south-western boundary. Some scrub occupies the site and site boundaries.</p>
<p>3.0</p>	<p>Planning History</p>
<p>3.1</p> <p>3.2</p> <p>3.3</p>	<p>S/2000/1332/O – Site for housing and to develop lands to rear of Lagmore Dale, Stewartstown Road, Belfast. Permission granted in October 2001.</p> <p>S/2010/0834/F – Residential development of 41 dwellings comprising apartments, semi-detached and detached housing including provision of equipped children's play area and other associated public open spaces & landscaping. Permission Granted October 2013</p> <p>LA04/2018/0005/F - Erection of 6 detached and 8 semi-detached dwellings and associated parking, relocation of public open space previously approved under planning permission S/2010/0834/F with associated play park, landscaping, and site works. Lands south & east of 148-163 Lagmore View Lane & 20-26 Lagmore View Road and north & west of 37 81 82 105-114 Lagmore Glen, Lagmore Glen, Belfast. Withdrawn.</p>
<p>4.0</p>	<p>Policy Framework</p>
<p>4.1</p>	<p>Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035</p> <p>Development Plan – zoning, designations, and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other material considerations Developer Contribution Framework Creating Places Belfast Agenda (Community Plan)</p>
<p>4.2</p>	<p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p><i>Strategic Policies</i> Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP4 – community cohesion and good relations Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity Policy SP8 – green and blue infrastructure network</p>

	<p><i>Spatial Development Strategy</i> Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p><i>Shaping a Liveable Place</i> Policy HOU1 – Accommodating new homes Policy HOU2 – Windfall housing Policy HOU4 – Density of Residential Development Policy HOU5 – Affordable Housing Policy HOU6 – Housing Mix Policy HOU7 – Adaptable and Accessible Accommodation Policy DES1 – Principles of Urban Design Policy DES2 – Masterplanning Approach for Major Development Policy RD1 – New Residential Developments Policy HC1 – Promoting healthy communities</p> <p><i>Transport</i> Policy TRAN1 – Active travel – walking and cycling Policy TRAN 2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p><i>Building a Smart Connected and Resilient Place</i> Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change Policy ENV3 – Adapting to Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable Drainage Systems (SuDS)</p> <p><i>Promoting a Green and Active Place</i> Policy OS1 – Protection of Open Space Policy OS3 – Ancillary Open Space Policy NH1 – Protection of Natural Heritage Resources Policy TRE1 – Trees Policy LC1 – Landscape</p> <p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sensitive Uses Sustainable Urban Drainage Systems Transportation Trees and Development</p>
<p>5.0</p>	<p>Statutory Consultees DFI Roads – Awaiting final response DAERA – No objection DFI Rivers – No objection NI Water – No objection NI Housing Executive – Support</p>

6.0	<p>Non-Statutory Consultees BCC Environmental Health – No objection BCC Plans and Policy Team – Advice provided (see main assessment) BCC Landscape Planning and Development Unit – Advice provided (see main assessment) NIE – No objection</p>
<p>7.0 7.1</p>	<p>Representations Two letters of objection have been received, raising the following issues (with an officer response immediately below each).</p> <ol style="list-style-type: none"> 1. New road safety measures and impact on existing road safety issues. <i>DFI Roads had initially highlighted concerns with regard to the proposed bollards, which were subsequently removed. New traffic calming measures have been included in the form of speed control cushions with road realignment and reduction in extent of speed control tables. These changes have been welcomed by DFI Roads given road safety issues associated with current road layout.</i> 2. More housing will lead to more traffic. <i>DFI Roads are satisfied that the existing road network can accommodate the proposed additional dwellings and has offered no objection to the application. The proposal will only create two additional dwellings units</i> <p>7.2 Two letters of support have been received from a local Residents Association highlighting positive engagement between the developer and the community.</p>
<p>9.0 9.1</p>	<p>PLANNING ASSESSMENT</p> <p>9.1 The key issues in the assessment of the proposal are:</p> <ul style="list-style-type: none"> • Principle of Development (including Loss of Open Space) • Layout, scale and design • Traffic, Movement and Parking • Private Amenity Provision • New Open Space Provision • Impact on Amenity • Affordable Housing Provision • Drainage and Flooding • Other Environmental Matters • Impact on existing Electrical Infrastructure • Section 76 planning agreement • Pre-application Community Consultation <p>Development Plan Context</p> <p>9.2 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>9.3 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>

9.4	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
9.5	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
9.6	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
9.7	<p><u>Belfast Urban Area Plan 2001 (BUAP)</u> The site is located on un-zoned “whiteland” within the development limits of Belfast.</p>
9.8	<p><u>Draft BMAP (v2004 and v2014) designations</u> In draft BMAP 2015 (v2004) the site is zoned for housing (Zoning ML02/16). In draft BMAP (2014) it is also zoned for housing (Zoning ML03/01).</p>
9.9	<p>Principle of Development (including Loss of Open Space)</p> <p>The site is located within a larger approved housing development (S/2010/0834/F) with residential use originally established at the site as part of a substantial outline scheme and housing masterplan (S/2000/1332/O). However, the proposal includes the development of a stretch of existing open space along the south-eastern boundary of the site. This area was also previously approved as open space as part of an approved layout for 41 units with 12 apartments approved on the application site, as shown below alongside the proposed layout. All dwellings approved under this extant permission have been built apart from the 12 apartments.</p>
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Approved layout</p> </div> <div style="text-align: center;">  <p>Proposed layout</p> </div> </div>

9.10	The total area of existing open space which would be lost as a result of the proposed development is approximately 4,800 square metres (0.48 ha).
9.11	The proposal has been assessed against Policy OS1 of the Plan Strategy which states that development that results in the loss of existing open space will not be permitted.
9.12	<p>However, the policy permits exceptions where either:</p> <ul style="list-style-type: none"> • it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of the open space; or • where it is demonstrated that the loss of open space will have no significant detrimental impact on the amenity, character or biodiversity of an area and where either of the following circumstances occur: <ul style="list-style-type: none"> (i) in the case of an area of open space of 2 hectares or less, alternative provision is made by the developer which is at least as accessible to current users and at least equivalent in terms of size, usefulness, attractiveness, safety and quality; or (ii) in the case of playing fields and sports pitches within settlement limits, it is demonstrated by the developer that the retention and enhancement of the facility can only be achieved by the development of a small part of the existing space - limited to a maximum of 10% of the overall area - and this will have no adverse effect on the sporting potential of the facility. This exception will be exercised only once.
9.13	Although argued initially by the applicant that Policy OS1 of the now superseded Planning Policy Statement 8 does not apply to the proposal as the site forms part of a housing zoning and is undeveloped, the area in question has been approved as open space under extant permission S/2010/0834/F to support the housing and was initially approved as open space in the original concept masterplan for the area. Within this context, the area must be assessed under Policy OS1, which is based on the same principles as the no longer extant PPS 8 of protecting existing areas of open space, irrespective of its physical condition.
9.14	In response to Policy OS1 and its exceptions, a number of potential community benefits (in this case material planning considerations) have been highlighted by the applicant. These include amenity benefits to the properties adjacent to the site, 14 new homes satisfying community requirements (with no apparent community desire for the previously approved apartments), new managed open space provision for the community and road improvements including additional parking bays, speed cushions and road realignment. The proposed road safety improvements are intended to address local people's concerns about the existing road layout and are supported by a Road Safety Audit submitted by the applicant, which in turn has been acknowledged by DFI Roads.
9.15	Although improvements to the road layout are not explicitly linked to the loss of open space and could be achieved irrespective of its loss, the applicant argues that the proposed housing will enable the necessary road improvements, which would otherwise not come forward.
9.16	DFI Roads has acknowledged that the current road layout, including the extent of raised speed control tables, is not ideal and has the potential to create a road safety issue. The applicant has presented the proposal as an opportunity to facilitate much needed road improvements whilst completing this part of the development and providing a high quality residential scheme with a landscaped open space area, albeit smaller than previously approved. It is evident from the financial information submitted, comparing the approved

and current proposals, that the 12 detached units would generate significant additional revenue to help fund the road improvements. It is also worth noting that during the course of the application the extent of the road improvement works has increased from around £40k for the original proposed scheme to in the region of £200k for the current scheme. The previously proposed bollards now making way for road realignment, speed control cushions and removal of long speed control tables. The resulting costs of the works has been exacerbated by the recent rise in cost of building materials and inflation.

9.17 When the application was first submitted, the applicant had indicated a proposed condition and trigger for the road works that would see their completion prior to the occupation of the first dwelling; however, that was on the basis of the road works being costed in the region of £40,000. The new road safety improvements that have arisen as the result of the issues/dangers identified in a Road Safety Audit have increased in price five-fold and are now in the region of £200,000, which is a significant abnormal upfront cost for 14no dwellings. Accordingly, officers advise that a suitable and reasonable trigger point for the road works being completed would be by occupation of the 8th dwelling. This will enable the developer to forward fund the road safety measures through the release of the first housing phase and ensure the necessary road improvements will continue to be delivered in a timely manner.

9.18 In terms of the quantitative loss of open space the proposal should be considered in the round, with the site forming a small part in a significant housing development. Within the application site the loss represents a total of approximately 2,200 square metres, amounting to 31% of the open space. However, when considered holistically the loss of 0.2 Ha of open space is only 3.6% of the total open space approved for the Lagmore/Mount Eagles housing development (5.5 ha). The overall approved open space within the Lagmore housing development is shown below. The plan also shows the location of the site in this wider context.



9.19 At a localised level, the subject proposal provides additional green spaces/amenity provision by finishing off the development, providing approximately 4,800 sqm of open green space. Critically, this ties together two existing areas of open space with an increased usable green space provision of almost 6,000sqm.

9.20 It is also worth noting at this point that part of the application site was approved for apartment development. The apartment proposal occupied an area of approximately 2,100 sqm as shown below (lower lefthand corner with “smudge effect”), the area hatched blue in the plan below (approx. 1,925 sqm) denotes an area earmarked for development in the original Lagmore Concept Masterplan. The blue area denotes an area earmarked for development in a previously approved Concept Masterplan, which would now be provided as open space.



9.21 The concept of developing this area was pulled through to the approved site layout under A/2010/0834/F as shown below. The grey area is annotated as such – ‘area for future development in keeping with concept masterplan’



9.22	The applicant's justification also looks at the overall open space provision within the wider Lagmore development as a whole and argues that the loss is not significant when viewed holistically with an open space provision of circa 25% of the entire housing area still remaining – this compares to previous policy requirement for 15% open space.
9.23	The Council's Landscape team has stated that the loss of new open space would be significant (when considered in the context of the application site). However, this must be considered in tandem with the overall open space provision on the site as required by Policy OS3, discussed further below. <i>Removal of approved playground:</i>
9.24	The Council's Landscape Planning and Development team has also noted that the proposed layout does not include an equipped children's play area, previously approved under planning reference S/2010/0834/F. The provision of the playground for the proposed 14 units would not be a policy requirement as such, but within the wider Lagmore Housing scheme would certainly have been a PPS8 consideration and is now a requirement under Policy OS3 of the Plan Strategy for sites greater than 5Ha or proposals for more than 100 units. However, the proximity to overhead powerlines has been highlighted by the applicant as a reason for omitting this formal play area, and this is supported by NIE comments and accepted by the Council's Landscape Planning and Development team. Furthermore, there was no planning condition on the previous permission to require the actual delivery of the play area or to delivery and manage the open space. It would therefore be unreasonable to object to the removal of the park from this location.
9.25	It is also noted that play parks are provided in the wider Lagmore area. Policy OS3 states that the Council will consider an exception to the requirement of a play park where a children's play area exists within reasonable walking distance from a site (generally around 400m).
9.26	There is no Local Equipped Area for Play (LEAP) within 400m of the subject site. The previous site approval did make provision for a LEAP but this was undeliverable given health and safety concerns associated with children's play equipment located below power lines.
9.27	However, there appears to be opportunity for residents to avail of a significant quantum of usable amenity throughout the wider Lagmore development. As shown in the concentric circle plan below, the Lagmore Youth Project and Lagmore Community Forum provide additional services for the local area and they are located within 400m of the site at the church grounds on Lagmore Drive.

9.32	<p>Layout, scale and design</p> <p>The proposal has been assessed against the SPPS and Policies HOU4, HOU6, HOU7, DES1, DES2 and RD1 of the Plan Strategy.</p> <p><i>Density:</i></p>
9.33	<p>The Planning Service's Plans and Policy team has provided advice in relation to the new policies. It has been suggested that there should be a higher density on smaller parts of the site, which would in turn make more efficient use of the land and protect open space. The application site is the final phase of the wider Lagmore View and Glen Housing Development, which has an established density of 19 dph. This is calculated by considering the existing 371 dwellings across the 19.52 ha development site. There is also extant permission for another 12 apartments on the subject site which would lift the density slightly to 19.62 dph. This proposal for 14no dwellings in lieu of 12 apartments results in a net increase of 2 dwellings over the extant permission. The total developable area of the site is 0.7Ha. The 14 units therefore equates to a density of approximately 20 units per hectare, almost identical to the average density in the Lagmore area, and in conformity with the character of this established residential area in accordance with Policy RD1. Having regard to these factors, the proposed density is acceptable.</p> <p><i>Impact on the character and appearance of the area:</i></p>
9.34	<p>With the replacement of a block of 12 apartments with a more traditional housing layout of 14 units (8 detached and 6 semi-detached) it is clear that the proposal is more in keeping with the established residential character of the area and would represent a more sympathetic density and pattern of development. The dwellings are well spaced and are stepped down the slope in a manner which ensures no visual detriment nor adverse impact on amenity of prospective residents. The detached streetscape along the northern edge provides a high quality frontage onto the road with in-curtliage parking ensuring small gardens and trees provide a visual buffer to the street, and a softer landscape than the slightly higher density of the semi-detached dwellings to the immediate north. The proposed development is open to the front of the building lines, and any screening proposed onto the street to protect the private amenity of rear gardens (Nos 169, 177 and 179) will be a 1.8m high brick wall. This will ensure the provision of a high quality of finish onto the street.</p>
9.35	<p>The form of the dwellings is generally single and two storeys, in keeping with the area, with the three storey split level dwelling located at site Nos. 170-174 responding to the tighter contours along the south-western part of the site and located as such that it will not look out of place or unduly dominant. This three storey house type is the same as the adjacent dwellings to the immediate south-east in Lagmore View, which would be read with the proposal from the south-eastern approach to the site. Nos. 173 and 174 are actually accessed from the existing development at Lagmore View. The layout and form is responds to the sloping topography of the site to minimise the extent of physical retaining structures and ensures a balanced cut and fill exercise that minimises the amount of waste that would be excavated off site.</p>
9.36	<p>The built form with a mix of detached single storey and two storey dwellings and semi-detached three storey dwellings reflects the character of the adjoining housing to the north, east and southeast. The mix of red brick and off-white render finish reflects the finishes and material of both the dwellings that bound the site.</p>

	<p><i>Housing mix:</i></p>
9.37	<p>Policy HOU6 requires that residential proposals for more than 5 units provide a suitable mix of house types and sizes to promote choice and assist in meeting community needs.</p>
9.38	<p>As stated above the proposed density is in keeping with the character of the wider Lagmore area and reflective of the site's edge of limits location. The same can be said for the mix of dwellings, 8 detached and 4 semi-detached units. As will be discussed further below, two units are bungalows and will cater for a particular need and are designed to meet the needs of those that require wheelchair access. It is proposed that these two bungalows are within co-ownership range and will form 3 of the units which will be secured as affordable housing through the Section 76 planning agreement.</p>
9.39	<p>As stated, the housing mix of 3 and 4 bed units has been driven by the communities desire for family homes, and a movement away from apartment development. It is considered that the proposed mix is responsive to the need in the area and responds appropriately to the physical characteristics of the site and the character of the Lagmore area. The housing mix is considered acceptable.</p>
	<p><i>Adaptable and accessible accommodation:</i></p>
9.40	<p>Policy HOU7 of the Plan Strategy also sets out a number of detailed design criteria which are addressed below:</p> <ul style="list-style-type: none"> • All house types now afforded porches/canopies which ensure main entrances offer shelter from the weather. • Permanent living space is achieved within/in addition to a kitchen at entrance level in all house types presented, including split level dwellings (whose entrance level happens to be at 1st floor/upper ground floor level). • All house types have been updated to provide entrance level WC with space to provide a shower. • Each house type has an accessible bathroom on the same level as the main bedroom. The main bathroom on the split level house type is on the same level as the primary living accommodation which is set apart by a half flight of stairs. However, each house does have an ensuite and the floorplans have been annotated to demonstrate this as requested. • Glazing in the principal living space is sited to enable outlook when seated.
9.41	<p>Policy HOU7 also requires that for residential developments of 10 units or more, at least 10% of units are wheelchair accessible, designed in accordance with a number of criteria.</p>
9.42	<p>This equates to a requirement for two dwellings of the 14 proposed and can be achieved by the two bungalow plots at 179/179a.</p>
9.43	<p>A wheelchair accessible environment is provided in accordance with the space standards for wheelchair housing set out in appendix C (of the Plan Strategy):</p> <ul style="list-style-type: none"> • The dwellings are 86.6sqm which is in excess of the 80sqm required for a 3p/2b wheelchair bungalow.

	<ul style="list-style-type: none"> • All driveways meets disabled parking standards; • Pathways are wide enough to accommodate a wheelchair and have a firm surface, and where there is a level change the slope is gentle. • All entrance hallway, kitchen, living, dining area, bathroom and a main bedroom have an unobstructed turning circles. • All entrances, doorways and halls are an appropriate width and length allow for wheelchair access; • Recessed space at the entrances will enable storage of a second wheelchair; • No lift is necessary as the units in question are single storey. • In terms of storage, floorplans show indicative layouts of where wardrobes are to be located, and there are storage areas with regard to hot press/stores/cloaks. However, at 86.5sqm the dwellings have a footprint in excess of the 80sqm wheelchair standard and shows an optional snug room which could be dedicated to storage. • Each dwelling has a suitable at grade garden and patio area.
	<p>Traffic, Movement and Parking</p>
9.44	<p>The proposal has been assessed against Policies TRAN1, TRAN2, TRAN6, TRAN8 and HOU7 of the Plan Strategy.</p>
9.45	<p>Each of the 14 dwellings are served by two in-curtilage parking spaces. A further 9 visitor spaces have been identified on the street. DFI Roads is satisfied with the level car parking provision and its arrangement.</p>
9.46	<p>Policy HOU7 requires that Parking provision should have a firm surface and provide level or gently sloping access to the main entrance of the property.</p>
9.47	<p>The Plans and Policy team advises that the proposal does not comply with this criterion because the drawing states driveway gradients to be 1 in 12.5 for the first 5m. However, 1 in 12.5 is a gradient of 8% which is in conformity with Creating Places (para 16.14 below), a document referenced as existing guidance in the new suite of SPGs. Regard is also had to the topography of the site.</p>
9.48	<p>The applicant has stated that it is not possible to provide at grade entrances to the four split level dwellings to the lower part of the site as their main entrance is via steps to first floor/upper ground level. The reasons for having to employ this style of house at this location are connected with the existing and challenging topography and providing level access to the rear garden. The applicant has also stated the use of split level dwellings with stepped access are compliant with Lifetime Homes and Building Control Requirements.</p>
9.49	<p>A Travel Plan was submitted in support of the application, this proposed measure to promote alternatives to private car use, including the employment of a Travel Plan Co-ordinator and a contribution towards car club membership for 3 years. DFI Roads were generally content with the proposals but had also requested the Travel Plan included the offer of a Travel card for each dwelling for three years. However, given the location of the proposal within an extensive housing area, and the commitment to improving road safety,</p>

as well as the other benefits brought about by the scheme as discussed above, it is considered that a Travel Card provision is not essential. The measures outlined within the proposed Travel Plan shall be secured via the Section 76 Legal Agreement.

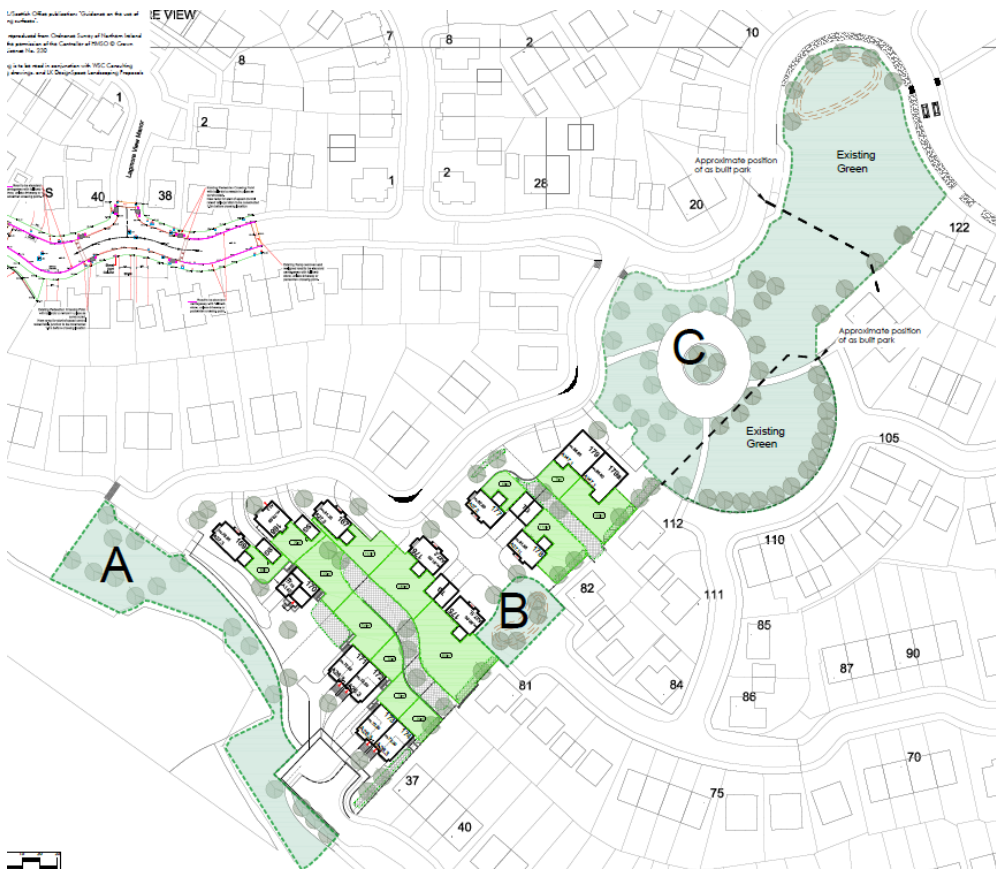
9.50 DFI Roads are satisfied with the proposed layout, including proposed road realignment. Final copies of Private Streets drawings are with DFI Roads for approval. A final consultation is awaited and delegated authority is sought to resolve any further issues that may arise.

Private Amenity Provision

9.51 In terms of private amenity, the proposal encompasses a range of rear garden sizes. The smallest private garden measures approximately 62 sqm with the largest being 357 sqm. The average private amenity provision (for dwellings) sits at approximately 133 sqm, 53 sqm greater than the minimum standard set out in the ‘Creating Places’ guidance.

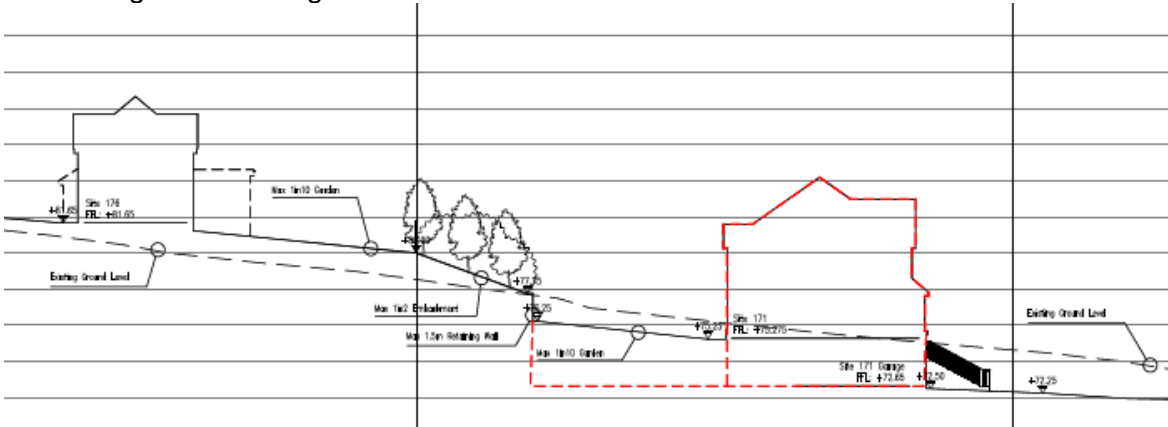
New Open Space Provision

9.52 The proposal has been assessed against Policies OS3 and RD1 of the Plan Strategy. Integral communal open space has been provided in the form of an area of approximately 7,000 square metres of public open space in the north-eastern part of the site. As the number of dwellings in the proposal is less than 25 (14), there is no policy requirement as such for open space provision on the site itself, however, open space would have been required as part of the previous approval for 41 units on the larger site (S/2010/0845/F). Having said this, the remaining area of open space exceeds the area that would be required to serve the overall site. The approved scheme for 41 units was located on a site with an area of approximately 4 ha, and therefore under Policy OS2 would require an open space provision of approximately 4,000 square metres. The open space remaining on the site is well in excess of this requirement, and is shown in the plan below.



9.53	<p>Impact on Amenity</p> <p>Policy RD1 of the Plan Strategy sets out a number of criteria for new residential development, the second of which is that it does not unduly affect the privacy or amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance.</p>
9.54	<p>In the south-eastern corner of the site, where the development sits closest to neighbouring buildings, these separation distances are approximately 8.5m gable to gable. The dwelling closest to the south-eastern boundary has a finished floor level of 72m, which represents a cutting into the existing levels by approximately 2m at this location. This represents a finished floor level approximately 1m higher than the adjacent dwelling at No. 37 Lagmore Glen. Although the proposed dwelling has a finished floor level 2m higher the stagger in the building line is only 3m and given the separation distance it is not envisaged that the proposal would result in any significant impact on the private amenity to the rear of this existing property. The two storey rear element of the proposed dwelling will definitely be apparent when looking out from the rear of this adjacent property, and also whilst in the garden area. However, as the step in the building line is only 3m, and given the orientation of the existing dwelling, facing south, it is not envisaged that the proposed dwelling would be unduly dominant or lead to any significant loss of light. However, given this level change and the stagger in the building line, in the event that approval would be forthcoming, it would be preferable that the permitted development rights were removed from this property to prevent any extension to its rear being built without the benefit of planning permission.</p>
9.55	<p>In terms of the remaining three dwellings proposed along the south-eastern boundary abutting adjacent dwellings at lower levels (Nos. 81, 82 and 112 Lagmore Glen), the finished floor level differences range from 1.3m-2.55m, however, the separation distances are such that there will be no adverse impact on amenity. These separation distances are approximately 15m at site No. 175 and 11m at site Nos. 178 and 179a. These distances should ensure there will no significant levels of overlooking from first floor windows onto the private amenity of adjacent properties or any unduly significant overbearing affect or dominance experienced.</p>
9.56	<p>In terms of the amenity of prospective residents it is apparent the layout has been heavily informed by the change in ground levels across the site with generous separation distances and minimal cut and fill ensuring there is no unduly significant overlooking and/or dominance from proposed back to back relationships.</p>
9.57	<p>In terms of the management and maintenance of the proposed open space Lagmore View and Glen Housing Development is already subject to the management and maintenance regime provided by The Greenbelt Company. The applicant has confirmed that new dwellings and areas of open space (as per the longstanding agreement between Greenbelt and the Developer) will be added to the Greenbelt agreement. This includes the existing Green within the application site which is presently maintained by the applicant but has not been formally handed over to the Greenbelt Company as the development is unfinished. It is advised that the management of the open space should be secured through a Section 76 agreement.</p>
9.58	<p>Affordable Housing Provision</p> <p>Policy HOU5 of the Plan Strategy applies to all proposals for residential development of 5 units or greater (or 0.1 ha or more) and requires a minimum of 20% of the total number of units to be affordable (consisting of social rented housing and/or intermediate housing). The affordable housing should be provided as an integral part of mixed tenure development, integrated with general needs housing and not readily distinguishable in terms of external design, materials and finishes.</p>

9.59	<p>Given that the application proposes a total of 14 units, at a minimum it is expected that three of those units should be affordable to ensure policy compliance. The Plan Strategy Statement submitted as part of the application documentation states that the applicant believes that it should be achievable to market three dwellings suitable for co-ownership. Plots 179, 179A and 168 are earmarked for this purpose. However, whilst the units at plots 179 and 179A are currently anticipated to be valued at £171,000, the proposed affordable unit at plot 168 is indicated to have a value of £193,500. This is currently above the property value limit for a co-ownership property and is therefore not at present deemed suitable for this purpose.</p>
9.60	<p>The applicant has stated that they are aware of the price points regarding the co-ownership threshold and has put forward a strategy as to how the affordable housing complement will be met. They state that the bungalows are well within the Co-ownership range and these also meet the wheelchair accessibility standards. The applicant argues that the third dwelling referenced as a potential for co-ownership is a small fraction over the current threshold for co-ownership and it is not beyond the realms of possibility that the threshold will be revised or alternatively the applicant adjusts the price point accordingly to suit, allowing all three units to be sold as intermediate housing through co-ownership.</p>
9.61	<p>However, the applicant had initially asked that the affordable housing allocation not be specifically tied to any particular plot as there could be a subsequent social housing need for the larger family homes. This presents the opportunity for the applicant to build the homes and the Northern Ireland Housing Executive/ Housing Association to buy off the shelf. The agent believes that this other option has been vindicated by the NIHE response that has since verified that the need within the area is for larger family homes.</p>
9.62	<p>In order to be completely tenure blind, the potential social housing units should make use of the proposed house types as these are already prevalent within the wider development. However, should there be a requirement to submit a future application to make amendments to the houses at the behest of the HA, this is entirely manageable through the terms of a Section 76 planning agreement which applies to the land and future assigns.</p>
9.63	<p>The application was submitted in July 2021 and the applicant has said that it is critical for a decision to be reached on the application. Delegated authority is sought for the Director of Planning and Building Control to negotiate a suitable alternative that would secure a minimum of three of the units as affordable housing and this would be secured through the Section 76 planning agreement. This would give the applicant the certainty that the Council is supportive of the application in principle. Should the negotiations not be successful, the application would be reported back to the Committee.</p>
9.64	<p>Drainage and Flooding There are no watercourses within this site. The site is bounded at the south-west by an undesignated watercourse. Neither DFI Rivers nor NIW have objected to the proposal.</p>
9.65	<p>Other Environmental Matters Environmental Health has offered no objections in terms of potential environmental or amenity impacts. Similarly, DAERA has offered no objections in terms of environmental impacts. It should be noted that the principle of residential development has already been established on part of the site through the granting of previous planning permissions. The proposal is considered compliant with Policy ENV1.</p>

<p>9.66</p>	<p>Policies ENV2 and ENV3 require new development to incorporate measures to mitigate and adopt to environmental change and promote sustainable patterns of development. To this effect the proposed inclusion of PV panels is welcomed. Their provision can be secured via planning condition.</p>
<p>9.67</p>	<p>The level of cut/fill has been minimised through the use of split level dwellings at the lower level, landscaped retaining banks etc that minimises the heights of retaining walls and minimises the amount of soil that could potentially have to be removed from the site. The sketch cross section below shows the implications of the additional cut and resulting retaining wall heights if a traditional 2 storey dwelling was to be employed at the lower level along with a level garden.</p> 
<p>9.68</p>	<p>Rainwater harvesting butts are proposed with specifications provided. These will be secured via planning condition.</p>
<p>9.69</p>	<p>Policy ENV5 requires that Sustainable Urban Drainage Systems (SUDS) are included where appropriate. The agent has stated that the development had always contained an element of SuDS, preceding the adoption of the Plan Strategy, through the provision of soakaways in the lower gardens. The site layout plan has been annotated that it is to be read in conjunction with the measures that have been deemed suitable.</p>
<p>9.70</p>	<p>Impact on Existing Electricity Infrastructure NIE initially commented that the lands affected by the proposal have Extra High Voltage (EHV) overhead lines, High Voltage (HV) underground cables and associated equipment in the area of the proposal.</p>
<p>9.71</p>	<p>Following discussions with the applicant, NIE has confirmed that an alteration to the overhead lines has been proposed to facilitate the development. As such NIE have offered no objection to the proposal.</p>
<p>9.72</p>	<p>Section 76 planning agreement</p>
<p>9.72</p>	<p>A planning agreement is required to secure the following:</p> <ul style="list-style-type: none"> • Provision of a minimum of three of the units to be delivered as affordable housing • Laying out and long term management of the proposed open space • Green travel plan and travel measures

	<p>Pre-application Community Consultation</p>
9.73	<p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>
9.74	<p>Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A Proposal of Application Notice (PAN) was submitted to Belfast City Council on 26th August 2020 (Ref: LA04/2020/1696/PAN).</p>
9.75	<p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p>
9.76	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> • Advertisements were placed within the Belfast Telegraph, Irish News and Andersonstown News in the Public Information Notice Section. These appeared on Monday 21st September 2020 and Wednesday 23rd September 2020. These invited members of the public to visit the bespoke website and provided full contact details of the design team. • Elected representatives including local councillors, MLAs, and the local constituency MP, were informed of the PACC by email correspondence on 1st September 2020 in advance of the leaflet/postal information being circulated and the website going live. • Within a 200m radius out from the edge of the proposed site, hardcopy leaflets (including pre-paid envelopes for returning comment cards) were circulated to c. 400 no. addresses in the vicinity of the proposal on Tuesday 29th September 2020. The leaflet highlighted the Digital PACC and contained details of the site location, information on the design proposals, tear-off return comment card, and details of how to contact the design team. • A total of 33 no. responses were received to the PACC via various mediums. Of these responses 17 no. were via the bespoke website comment card return, 13no. via leaflet comment card and 3no. emails directly to the design team. Throughout the course of the consultation process, returned feedback forms and emails were monitored to ensure that all comments were directly related to the proposals. • Whilst there is overall majority support for the finishing of the Lagmore development with the proposed format of housing, concerns naturally remained over road safety along Lagmore View Road. Some responses also questioned if this would lead to the provision of a bus route; however, Translink have previously stated that there will be no changes to the bus route without the consent of the local community. Perhaps over time this may be possible only once community confidence is restored through the road safety measures. Some residents identified that they would like a play area. The open space proposals have been revised to omit the play area due to the presence of powerlines across the site.

<p>9.77</p>	<ul style="list-style-type: none"> The increased capacity of on-street bay parking was well received, as a step towards addressing conveyed shortcomings of existing infrastructure within the wider Lagmore development. The Lagmore View & Glen Residents Association vocalised their unanimous support for the proposal and welcomed the inclusion of bollards and traffic calming measures along the spine road. However, some residents expressed concern that the road safety improvements proposed may not tangibly make a difference to road user driving habits. <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
<p>10.0</p> <p>10.1</p>	<p>Recommendation: Approval</p> <p>For the reasons set out in the report, it is recommended that planning permission is approved. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement – including the requirement to secure three of the units as affordable housing – and deal with any other issues that may arise from outstanding consultations.</p>
<p>11.0</p>	<p>DRAFT CONDITIONS</p> <ol style="list-style-type: none"> The development hereby permitted must be begun within five years from the date of this permission. <p><i>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</i></p> <ol style="list-style-type: none"> Prior to occupation of the 8th dwelling hereby approved, the proposed road improvement works to the roadway, including realignment and traffic calming measures, shall be carried out and completed in accordance with approved plan 96-743-340 published on Planning Portal 08/09/23. The 8th dwelling shall not be occupied until written evidence that the road improvements works have been completed has been submitted to and approved in writing by the Council. <p><i>Reason: The delivery of the road improvement works is part of the justification for the council granting planning permission on open space.</i></p> <ol style="list-style-type: none"> All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details. <p><i>Reason: In the interests of the character and appearance of the area.</i></p>

	<p>4. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p><i>Reason: In the interests of amenity.</i></p> <p>5. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.</p> <p><i>Reason: In the interests of amenity.</i></p> <p>6. The climate mitigation and resilience measures shall be implemented prior to occupation of each dwelling and shall be retained such.</p> <p><i>Reason: In the interests of mitigating climate change.</i></p> <p>7. No external materials, including walling and roof materials, shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external materials.</p> <p><i>Reason: In the interests of the character and appearance of the area.</i></p> <p><i>Other conditions to be required including transport/access conditions to be advised by DfI Roads in their final consultation response.</i></p>
	<p>Notification to Department (if relevant) Not required.</p>
13.0	<p>Representations from elected members: None received</p>
<p>Neighbour Notification Checked Yes</p>	

ANNEX	
Date Valid	July 2021
Date First Advertised	13th August 2021
Date Last Advertised	13 th August 2021

Details of Neighbour Notification (all addresses)

1 Lagmore View Way,Dunmurry,Antrim,BT17 0FP
10 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
10 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
105 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
105 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
106 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
106 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
107 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
107 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
107 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
108 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
108 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
109 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
109 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
11 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
110 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
110 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
111 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
112 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
113 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
114 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
115 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
119 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
12 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
12 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
120 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
121 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
122 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
123 Lagmore Glen,Dunmurry,Antrim,BT17 0WB
14 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
14 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
148 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
149 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
15 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
150 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
151 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
152 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
153 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
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157 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
158 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
159 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
16 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
16 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
160 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
161 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
162 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN

163 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 164 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 165 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 166 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 17 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 8 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 18 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 19 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 1a ,Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 2 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 20 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 20 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 21 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 22 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
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 23 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
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 25 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 26 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 26 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 27 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 28 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 29 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 3 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 31 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 33 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 35 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 37 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 37 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
 38 Lagmore Glen,Dunmurry,Antrim,BT17 0UZ
 39 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 4 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 40 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 42 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 Allannah McDonald
 48 Lagmore View Road Dunmurry Antrim
 5 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 6 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 7 Lagmore View Lane,Dunmurry,Antrim,BT17 0FN
 8 Lagmore View Road,Dunmurry,Antrim,BT17 0FR
 81 Lagmore Glen,Dunmurry,Antrim,BT17 0WJ
 81 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
 82 Lagmore Glen,Dunmurry,Antrim,BT17 0WJ
 82 Lagmore View Road, Dunmurry, Antrim, BT17 0FN
 9 Lagmore View Road,Dunmurry,Antrim,BT17 0FR

Date of Last Neighbour Notification	3rd November 2021
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Date of EIA Determination	N/A – extant permission on wider site.
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ES Requested	N/A
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

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