

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



**Belfast
City Council**

6th April, 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 Teams, on Tuesday, 18th April, 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:

1. **Routine Matters**
 - (a) Apologies
 - (b) Minutes
 - (c) Declarations of Interest
2. **Planning Appeals Notified (Pages 1 - 2)**
3. **Planning Decisions Issued (Pages 3 - 32)**
4. **Miscellaneous Items**
 - (a) Implementation of the Belfast Local Development Plan, Plan Strategy
 - (b) Development Management - Update on Lean Systems Experimentation
 - (c) Planning Appeals Commission - Appeal Decision on the proposed Centralised Anaerobic Digester Facility and North Foreshore (LA04/2019/1540/F)

- (d) Delegation of Local Applications with NI Water Objections (Pages 33 - 38)

5. **Planning Applications**

- (a) **LA04/2022/1280/F** - Proposed social housing led, mixed tenure residential development comprising of 52 no. dwellinghouses and 87 no. apartments with public open space, children's play park, landscaping, car parking, associated site works and infrastructure and access arrangements from Blackstaff Road. Former Kennedy Enterprise Centre (north of Westwood Shopping Centre) Blackstaff Road Belfast (139 no. units in total)
- (b) **LA04/2022/1479/F** - Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical and Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping. Former NI Water Ltd Sewage Treatment Works, Blackstaff Road (Pages 39 - 68)
- (c) **LA04/2023/2688/F** - Application to vary condition 36 of LA04/2022/0293/F. Lands directly south of Titanic Belfast and north-west of Hamilton Dock located off Queens Road, Belfast
- (d) **LA04/2022/1962/F** - Proposed Change of Use to Retail Use to Allow for the Sale of Mixed Convenience and Comparison Goods. Minor Amendments to Elevations, Car Parking and Services and General Site Works. No 8-10 Boucher Road, Boucher Plaza, Belfast.
- (e) **LA04/2022/1861/F, LA04/2022/1869/DCA, LA04/2022/1860/A** (Dealt with under a single report) - Replacement facade to active facade to facilitate the display of internally illuminated moving images. 1-3 Arthur Street Belfast, BT1 4GA
(Pages 69 - 80)
- (f) **LA04/2021/0691/F** and **LA04/2021/0915/DCA** - Demolition of existing dwelling and erection of a new detached dwelling and associated siteworks. 1D Malone Park. 1D Malone Park Belfast Bt9 6NH
- (g) **LA04/2021/1317/F** and **LA04/1318/DCA** - Demolition of existing dwellings and erection of two new dwellings and associated site works. Nos. 450 and 448 Lisburn Road Belfast BT9 7GX.
- (h) **LA04/2022/1831/F** - Change of use from residential to short term stay accommodation. 258 Limestone Road, Belfast, BT15 3AR (Pages 81 - 86)
- (i) **LA04/2023/2665/F** - Replacement of existing all weather playing pitch with 3G pitch, new fencing, floodlights and dugouts. Loughside Recreation Centre Shore Road, Belfast, BT15 4HP (Pages 87 - 92)
- (j) **LA04/2023/2362/F** - Proposed 30m (length) x 11m (height) ball stop fencing, including perimeter and spectator fencing, with a pathway surrounding the existing pitch, and associated site works. (amended plans). Cherryvale Playing Fields, Ravenhill Road, Belfast, BT6 8EE (Pages 93 - 100)

- (k) **LA04/2022/1499/F** - Construction of new community wellbeing centre and cafe incorporating refurbishment and change of use of existing house, with a new adjacent community garden and men's shed facility. The Lockhouse 13 River Terrace Belfast BT7 2EN (Pages 101 - 110)

- (l) **LA04/2023/2701/F** -Erection of life size bronze sculpture of Frederick Douglass. Existing Planter located approximately 2.5m east of No.10-20 Lombard Street (Pages 111 - 116)

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Agenda Item 2

PLANNING COMMITTEE – 18 APRIL 2023

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2022/A0186

PLANNING REF: LA04/2020/0595/F

APPLICANT: Hill Power Ltd

LOCATION: 510 N/NW of 33 Upper Hightown Road, Ballysillan Upper, Belfast, BT14 8RR

PROPOSAL: Proposed installation of a wind turbine on a 60m high tabular tower and 100m high blade tip, switch room cabinet, sub-station cabinet, extension of an existing laneway to form site access and all other associated ancillary works

PROCEDURE:

ITEM NO 2 PAC REF: 2022/A0197

PLANNING REF: LA04/2022/1839/F

APPLICANT: Seamus Goodwin

LOCATION: 51 Glandore Avenue, Belfast, BT15 3FD

PROPOSAL: Change of use to house in multiple occupancy

PROCEDURE:

APPEAL DECISIONS NOTIFIED

18 APRIL 2023

ITEM NO 1 PAC REF: 2021/A0131

PLANNING REF: LA04/2019/1540/F

RESULT OF APPEAL: ALLOWED

APPLICANT: Dargan Road Biogas Ltd

LOCATION: Lands to the north-west of existing Belfast City Council Waste Transfer Station, 2a Dargan Road, Belfast

PROPOSAL: Centralised Anaerobic Digestion (CAD) plant to include a bunding tank farm, (6 No digester tanks, 2 No bugger tanks, 1 No storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3 No weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines road infrastructure and ancillary plant/site works. (Further Environmental Information - addendum to Environmental Statement).

ITEM NO 2 PAC REF: 2021/A0131

PLANNING REF: LA04/2019/1540/F

RESULT OF APPEAL: COSTS – Full Costs Awarded to Apellant

APPLICANT: Dargan Road Biogas Ltd

LOCATION: Lands to the north-west of existing Belfast City Council Waste Transfer Station, 2a Dargan Road, Belfast

PROPOSAL: Centralised Anaerobic Digestion (CAD) plant to include a bunding tank farm, (6 No digester tanks, 2 No bugger tanks, 1 No storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3 No weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines road infrastructure and ancillary plant/site works. (Further Environmental Information - addendum to Environmental Statement).

PLANNING APPLICATIONS ISSUED BETWEEN 1 March 2023 and 31 March 2023

<u>Application number</u>	<u>Category</u>	<u>Location</u>	<u>Proposal</u>	<u>Decision</u>
LA04/2020/1437/F	LOC	12 Windsor Avenue Belfast BT9 6EE	Proposed renovation and extension to provide 9 no apartments. (amended plans & info)	Permission Granted
LA04/2020/1931/F	LOC	94 - 100 Sunnyside Street Belfast BT7 3EG	(AMENDED PLANS) Amendments to elevations, floor plans and site layout (retrospective) of Approval LA04/2016/2543/F for demolition of existing buildings and construction of two retail units, six apartments and associated access, parking, landscaping, floodlighting and other operational development.	Permission Granted
LA04/2021/1278/F	LOC	44 Ulsterville Avenue Belfast BT9 7AQ	Change of use and extension of existing domestic store/former stable block to create 2no. residential apartments within the curtilage of the existing apartment development, and landscaping of the communal open space, parking, access and associated works.	Permission Refused

LA04/2021/1809/F	LOC	7 Irwin Way Airport Road West Belfast BT3 9DE.	Section 55 application to LA04/2019/0871/F for retrospective variations to conditions 16 & 20 relating to drainage and landscaping works at the Combined Heat and Power Generating Station approved under LA04/2015/0301/F. This application seeks to develop land without complying with condition 10 (seeking variation of the noise mitigation strategy to extend deliveries and dispatches at site from 07.00 - 19.00 to 06.00 - 22.00). Retrospective.	Permission Granted
LA04/2021/2213/F	LOC	9-13 Crumlin Road Belfast BT14 6AA	Demolition of existing building and construction of 3 storey office building (amended description).	Permission Granted
LA04/2021/2317/F	LOC	67 Dromore Street Belfast BT6 8PF	Retrospective alterations to the rear return roof profile	Permission Granted
LA04/2021/2419/DCA	LOC	6 Chlorine Gardens Belfast BT9 5DJ.	Partial demolition of existing rear extension to facilitate new extension.	Consent Granted

LA04/2022/0262/F	LOC	Surface level car park to east of Harbour Office and adjoining lands at Corporation Square and Clarendon Road Belfast BT1 3AL.	Public realm improvement scheme to create formal gardens area including erection of 'gateway nest' and 'swinging seat' features and seating; artwork trail; lawn areas; shared pedestrian and access routes; public plazas; promenade along Clarendon Dock; improvements to and widening of footpaths at Corporation Square; extensions of taxi bays, relocation of Belfast Bike and bicycle shelters and stands, realignment of the road; and relocation of listed railings fronting Corporation Square.	Permission Granted
LA04/2022/0283/DC	LOC	Lands adjacent to and north and east of 105 Hopewell Crescent north of 50-74 Hopewell Crescent west of 1-21 Hopewell Square and south of Hopewell Avenue.	Discharge of condition 5 LA04/2019/2306/F	Condition Discharged

LA04/2022/0351/DCA	LOC	21-23 Victoria Street & 41-51 Waring Street Belfast BT1 2DY.	Demolitions and alterations consisting of: the dropping of window cills and installation of new aluminium framed windows; removal and relocation of existing doors to form fire exits; removal of existing roller shutter door and installation of new entrance door; removal of existing doors and installation of new aluminium framed windows; demolition of wall sections and formation of new window openings; alteration of existing window configurations; demolition of existing internal columns, stairs and removal of lift shafts and non-structural internal walls as illustrated on the Alterations Plan submitted with this application.	Consent Granted
LA04/2022/0452/F	LOC	1 Ledley Hall Close Belfast BT5 4SW	Existing playing field to be replaced by 2 new facilities: a new boxing hall and a new 3G pitch.	Permission Granted
LA04/2022/0559/F	LOC	Lands comprising No's 72 to 72 78 to 88 104 & 106 Royal Avenue No's 2 to 8 16 to 20 Gresham Street Belfast.	Proposed amalgamation and change of use, and all associated works, at ground and first floor level from Retail (Class A1), Cafe (Sui Generis) & Art Gallery/Studio (Class D1) to provide extension to existing (Sui Generis) Restaurant and Public House. Proposal to also include external alterations to buildings and provision of new outdoor seating courtyard areas/terraces.	Permission Granted

LA04/2022/0717/F	LOC	46-52 Upper Queen Street & 11a Wellington Street Belfast BT1 6FD.	Demolition of existing buildings and erection of 9 storey office building with associated ancillary facilities, terraced areas, screened external plant area to the roof, and all associated site works (previous permission and DCA Refs: LA04/2016/2359/F and LA04/2016/2341/DCA).	Permission Granted
LA04/2022/0718/DCA	LOC	46-52 Upper Queen Street & 11a Wellington Street Belfast BT1 6FD.	Full demolition of 46-52 Upper Queen Street and 11A Wellington Street to facilitate the erection of 9-storey office building.	Consent Granted
LA04/2022/0725/F	LOC	1 West Bank Close and 6 West Bank Road Belfast BT3 9LD	Demolition of No.6 West Bank Road to facilitate extension to existing warehouse and offices at 1 West Bank Close and new trade sales counter. Reduction to and reconfiguration of car park.	Permission Granted
LA04/2022/0768/F	LOC	Existing base station located off Marshalls Road at: MSO Ltd 339 Castlereagh Road Belfast BT5 6QP	The removal of existing 20.00m high cu phosco monopole, 3No. existing antennas, 1No. existing cabin, 1No. existing meter cabinet, existing fence and bushes and all other ancillary apparatus and the installation of proposed demise extension with 2 10M high palisade fence, 25.00M high swann lattice tower and headframe on new concrete base, 18No. antennas, 2No. GPS modules, 5No. cabinets and all other ancillary development.	Permission Granted

LA04/2022/0927/F	LOC	58 Ailesbury Road Belfast BT7 3FH	Single and two storey extension to side and rear of dwelling with external changes. Roofspace conversion with rear dormer and new front porch (amended plans)	Permission Granted
LA04/2022/1048/NMC	LOC	15 metres West of 20 Harberton Crescent Belfast	Non-Material Change - LA04/2017/2331/F	Non Material Change Granted
LA04/2022/1322/F	LOC	Wave Trauma Centre 5 Chichester Park South Belfast BT15 5DW	Installation of 3 No. community garden rooms (2 types) to provide additional space for private counselling services.	Permission Granted
LA04/2022/1422/A	LOC	Lands at 88-104 Andersonstown Road Belfast BT11 9AN.	Hoarding along the front of Casement Park Stadium.	Consent Granted
LA04/2022/1451/DCA	LOC	9 Harberton Park Belfast BT9 6TW	Existing ground floor flat roofs to be removed/demolished.	Consent Granted
LA04/2022/1517/F	LOC	53 Earlswood Road Belfast BT4 3EB.	Double-storey rear extension, new openings in existing house, and internal alterations.	Permission Granted
LA04/2022/1523/F	LOC	62 Manna Grove Ballyrushboy Belfast BT5 6AJ.	Single Storey Side Extension.	Permission Granted

LA04/2022/1579/F	LOC	7 Elmwood Avenue Belfast BT9 6AZ.	Change of Use from offices to five apartments including dormer window. Minor alterations to elevations and external works to include entrance steps, walls and railings, hard/soft landscaping and bin enclosure.	Permission Granted
LA04/2022/1598/F	LOC	Europa Hotel Great Victoria Street Belfast BT2 7AP.	The removal of existing frames, support poles, antennas, cabinets and other ancillary apparatus and the installation of new bespoke tripods and H-Frames/supports, 3No. expansion cabinets on freestanding frames, 2No. climb ladder, 1No. self closing access gate and existing equipment to be relocated to new replacement apparatus and all other ancillary development.	Permission Granted
LA04/2022/1616/DCA	LOC	11 Eglantine Avenue Belfast BT9 6DW.	Demolition of boundary walls to rear of property. (Retrospective)	Permission Granted
LA04/2022/1620/DC	LOC	Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP.	Discharge of condition 27 LA04/2018/1219/F (Gate Lodges)	Application Withdrawn

LA04/2022/1649/DCA	LOC	47 Osborne Drive Belfast BT9 6LH	Demolition of internal walls and doors at ground and first floor level. Demolition of rear facade at ground and first floor level. Partial demolition of side facade at ground floor level. Formation of new window openings and closing up of existing window openings to side facades.	Consent Granted
LA04/2022/1736/F	LOC	18 Low Wood Park Belfast BT15 4BB.	Provision of 2 storey side and rear extension	Permission Granted
LA04/2022/1791/F	LOC	14 St Judes Avenue Belfast BT7 2GZ.	Retrospective application for partial demolition of elements to the rear of dwelling, proposed rooflights to existing roof. Proposed single storey rear extension, roof terrace and dormer at second floor rear and two dormers at upper second floor rear.	Permission Granted
LA04/2022/1803/F	LOC	Lands adjacent to 27 Balmoral Avenue Belfast BT9 7GR	Erection of boundary wall and railings ranging in height between 1.8m and 3.2m along western boundary of no.27 Balmoral Avenue.	Permission Granted
LA04/2022/1808/DCA	LOC	Queen's University Belfast University Road BT7 1NN.	Removal of 2 existing security huts and replacement with 2 new heritage style huts.	Consent Granted
LA04/2022/1832/F	LOC	45 Willesden Park Belfast BT9 5GY.	Single storey extension to side & rear of dwelling.	Permission Granted

LA04/2022/1900/F	LOC	9 Cyprus Avenue Belfast BT5 5NT.	Single storey and two storey infill side extensions to dwelling.	Permission Granted
LA04/2022/1907/F	LOC	50 Bladon Drive Belfast BT9 5JN	Two storey rear extension (Kitchen, Family room, 2 bedrooms and bathroom)	Permission Granted
LA04/2022/1921/F	LOC	2 Springbank Road Dunmurry Belfast.	Storage building (Amended description) Class B4	Permission Granted
LA04/2022/1923/F	LOC	123 Haypark Avenue Belfast BT7 3FG.	Two Storey Side and Rear Extension with Single Storey Element at Rear. Additional Dormer to the Rear and Juliet Balcony.	Permission Granted
LA04/2022/1957/A	LOC	62 Boucher Road Belfast BT12 6LR	1 x illuminated fascia sign 6 x illuminated other signs - Facade screen, totem, single sided Kinto screen, double sided service screen, double sided test drive archway and double sided Approved Used archway 1 x non-illuminated other sign - Directional sign.	Consent Granted
LA04/2022/2002/F	LOC	7 Ardpatrick Gardens Belfast BT6 9GK.	2 Storey Side / Rear Extension.	Permission Granted
LA04/2022/2018/F	LOC	2 Royal Avenue Belfast BT1 1DA.	Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.	Permission Granted

LA04/2022/2058/F	LOC	Rooftop base station at Castlecourt shopping centre Royal Avenue Belfast BT1 1DD	Proposed upgrade works at existing rooftop base station installation comprising of the installation of new grillage fixed to existing and new steel beams to support proposed access steps and safety handrail, proposed steel bracing between existing steel members, 1no. cable tray, 6no. proposed apertures to be mounted on new support poles on new circular headframe on existing 6.00m high stub monopole, 2no. GPS modules, RRU's mounted on new support poles, 3no. equipment cabinets to be installed within existing equipment and all other ancillary development.	Permission Granted
LA04/2022/2074/F	LOC	19 Hawthornden Road Belfast BT4 3JU.	Single Storey Extension to the Rear. Associated Site Alterations and Erection of Single Storey Garden Room.	Permission Granted
LA04/2022/2091/NMC	LOC	10 Lorne Street Belfast BT9 7DU.	Non material change LA04/2017/1153/F relating to revision to internal layout, windows, reorientated cycle stand, and additional parking.	Non Material Change Granted
LA04/2022/2094/F	LOC	37 Kincora Avenue Belfast BT4 3DW.	Single and two storey rear extension with solar panels and pagoda. Roofspace conversion with rear dormer and rooflights and external alterations to dwelling.	Permission Granted

LA04/2020/2065/DCA	LOC	12 Windsor Avenue Belfast BT9 6EE	Proposed demolition of single storey rear return (Amended proposal description)	Consent Granted
LA04/2020/2626/F	LOC	Former Translink Ulsterbus Workshop Duncrue Street Belfast BT3 9BJ	Erection of temporary point-of-entry inspection facility for Belfast Harbour.	Permission Granted
LA04/2021/0651/F	LOC	Vacant land at corner of Dundela Avenue & Dundela Crescent Belfast BT4.	6 No. 1 bedroom apartments with associated site amenity space.	Permission Granted
LA04/2021/0859/F	MAJ	21-23 Victoria Street & 41-51 Waring Street Belfast BT1 2DY	Retention of 21-23 Victoria Street and 41-51 Waring Street, Belfast with minor alterations to facades and erection of a 3 storey extension to the buildings to facilitate a 164 bedroom hotel with ground floor bar/restaurant, meeting rooms and fitness centre, back of house facilities, 7th floor bar, and public realm improvements	Permission Granted

LA04/2021/1672/O	MAJ	<p>Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.</p>	<p>Outline planning permission (with all matters reserved) for mixed use development on Sites A, B, C, D. Comprising up to 7,710 sqm GEA mixed use to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units on Site A, up to 6,980 sqm GEA of Hotel (C2) floorspace on Site B, the erection of a multi-storey car park comprising of up to 231 spaces (4,130 sqm GEA) and up to 7,130 sqm GEA of employment or community (A1 or A2 or B1 or B2) floorspace on Site C and up to 1,110 sqm GEA mixed use to include residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise (A1 or A2 or B1 or B2 or D1) floorspace on Site D.</p> <p>Outline planning permission (with no matters reserved) for the erection of 94 residential dwellings (social housing). Comprising of 44 residential units on Site A and 50 residential units on Site D/NIE. Access to be provided from Raphael Street and Stewart Street respectively. Along with the provision</p>	Permission Granted
LA04/2021/1854/F	LOC	336 Antrim Road Belfast BT15 5AB	Proposed extension and alterations to form 5no. self contained flats.	Permission Granted

LA04/2021/2420/F	LOC	6 Chlorine Gardens Belfast BT9 5DJ.	Conversion of existing dwelling to 2No. dwellings with associated rear extension and ancillary works.	Permission Granted
LA04/2021/2815/F	MAJ	Vacant lands at access road to Olympia Leisure Centre directly opposite and approx. 70m East of nos. 9-15 Boucher Road Belfast.	Erection of Discount supermarket, drive through cafe, landscaping, car parking, and associated site works.	Permission Granted
LA04/2022/0061/F	LOC	484 Upper Newtownards Road Belfast BT4 3GZ	Amendments to previously approved application for 4 No. detached dwellings under Z/2014/1341/F	Permission Granted
LA04/2022/0089/LBC	LOC	Surface level car park to east of Harbour Office and adjoining lands at Corporation Square and Clarendon Road Belfast BT1 3AL.	Relocation of listed railings fronting Corporation Square as part City Quays Gardens public realm improvement scheme.	Consent Granted
LA04/2022/0428/F	LOC	Lands immediately south of the junction of Mountpottinger Road and Mountpottinger Link and east of Short Strand Bus Station Belfast BT5 4LA.	Proposed erection of 13 no. apartments with associated amenity space, car parking, landscaping and access arrangements from Mountpottinger Road.	Permission Granted

LA04/2022/0560/LBC	LOC	Lands comprising No's 72 to 72 78 to 88 104 & 106 Royal Avenue No's 2 to 8 16 to 20 Gresham Street Belfast.	Proposed amalgamation and change of use, and all associated works, at ground and first floor level from Retail (Class A1), Cafe (Sui Generis) & Art Gallery/Studio (Class D1) to provide extension to existing (Sui Generis) Restaurant and Public House. Proposal to also include external alterations to buildings and provision of new outdoor seating courtyard areas/terraces.	Consent Granted
LA04/2022/0679/F	LOC	17-21 Bruce St Belfast BT2 7JD.	AMENDED DESCRIPTION Remove a section of the pitched roof over the escape stair to form a new rooftop plant area to serve proposed office space. Remove a section of the pitched roof above the main stair to form a new flat rooftop area.	Permission Granted
LA04/2022/0817/F	LOC	45 Osborne Drive Belfast BT9 6LH.	Demolition of existing garage and previous rear extension. Single storey extension to side and rear incorporating new porch, two storey extension to rear. New boundary wall to Osborne Drive.	Permission Granted
LA04/2022/0818/DCA	LOC	45 Osborne Drive Belfast BT9 6LH.	Demolition of existing garage and previous rear extension. Single storey extension to side and rear of existing house incorporating new porch. Two storey extension to the rear. New boundary wall to Osborne Drive.	Consent Granted

LA04/2022/1047/NMC	LOC	49 Findon Gardens Belfast BT9 6QL	NMC to LA04/2017/2238/F	Non Material Change Granted
LA04/2022/1097/F	LOC	25m North of 26 Boucher Road & 40m East of 41 Boucher Road Belfast	Proposed upgrade works at existing base station installation including: the removal of existing 15m mini-macro column monopole and foundations, 6no. existing antennas and 1no. existing cabinet and all other ancillary apparatus and the installation of proposed demise extension with 25m high CS56 swann lattice tower and headframe, 18no. antennas, 2no. GPS modules, 2no. ERS racks, 3no. cabinets and all other ancillary development.	Permission Granted
LA04/2022/1149/PAD	LOC	54 Osborne Park Belfast BT9 6JP.	Construction of an additional new dwelling (on this unusually large site within the Conservation Area) in a Victorian coach house style. The application will include the demolition of a modern garage which obscures the garden elevation of an original 2-storey Victorian stable block. It is proposed to restore the garden elevation of the stable block.	PAD Concluded
LA04/2022/1214/F	LOC	9 Fruithill Park Belfast BT11 8GD	Three storey rear extension and two storey side extension (AMENDED PLANS)	Permission Granted

LA04/2022/1245/F	LOC	24 Knock Green Belfast BT5 6GJ.	Single storey extension to rear of property with some internal alterations.	Permission Granted
LA04/2022/1284/F	MAJ	Lands bounded by Library Street (to south); Stephen Street (to west); Little Donegall Street (to north); and Union Street (to east) Belfast BT1 2JE.	Erection of Purpose Built Managed Student Accommodation (PBMSA) development comprising 795 units with additional use of accommodation by further or higher education institutions outside term time, communal facilities, internal amenity courtyard, cycle stores, active ground floor uses including cafe and retail, and associated bin stores and plant and public realm improvements to surrounding footpaths.	Permission Refused
LA04/2022/1285/F	LOC	66 Riverdale Park East Belfast BT11 9DA.	Single storey rear extension with ramp to side of dwelling.	Permission Granted
LA04/2022/1331/F	LOC	9 Harberton Park Belfast BT9 6TW	First floor extensions over existing ground floor.	Permission Granted
LA04/2022/1368/F	LOC	8 Malone Court Mews Belfast. BT9 6PQ.	Proposed single storey extension, second floor extension, dormers to roof and associated works.	Permission Granted
LA04/2022/1387/F	LOC	67 Fruithill Park Belfast. BT11 8GF.	Proposed new two storey extension to rear of existing dwelling including new dormer window to front elevation and fenestration changes to side elevation (AMENDED PLANS)	Permission Granted

LA04/2022/1495/F	LOC	34 Deramore Drive Malone Belfast BT9 5JR.	Proposed Alterations and Extension to existing dwelling to form additional lower ground floor, alterations to the ground floor and first floor and a roof space conversion. Two roof lights on the front elevation, Additional windows on gable elevation and creation of balcony at ground floor.	Permission Granted
LA04/2022/1522/A	LOC	42 Fountain Street Belfast BT1 5EF.	Projecting sign with external illumination surface mounted to street facing facade.	Consent Refused
LA04/2022/1538/DCA	LOC	34 Deramore Drive Malone Belfast BT9 5JR.	Partial demolition of existing rear return, patio and demolition to create new openings.	Consent Granted
LA04/2022/1615/F	LOC	11 Eglantine Avenue Belfast BT9 6DW	Demolition of existing boundary wall to the rear and rebuilding new boundary walls (part retrospective)	Permission Granted
LA04/2022/1650/F	LOC	47 Osborne Drive Belfast BT9 6LH	Proposed single storey side extension and proposed two-storey rear extension and new outdoor covered area.	Permission Granted
LA04/2022/1676/F	LOC	241 Ravenhill Road Belfast BT6 0BS.	Single storey rear extension and associated works.	Permission Granted
LA04/2022/1703/F	LOC	226 Kings Road Tullycarnet Belfast BT5 7HX.	Single Storey Rear Extension to include Additional Site Works. Removal of Existing Attached Garage.	Permission Granted

LA04/2022/1755/F	LOC	33 Stewartstown Road Belfast BT11 9FZ.	Extension of existing surgery to provide additional consulting rooms to cater for existing patients with external alterations to front elevation.	Permission Granted
LA04/2022/1790/DC	LOC	31-33 Queen Street Belfast BT1 6EA.	Discharge of Condition 2 LA04/2021/0290/DCA.	Condition Discharged
LA04/2022/1793/DC	LOC	Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP.	Discharge of condition 26 LA04/2018/1219/F and Condition 5 of LA04/2018/1056/LBC.	Condition Discharged
LA04/2022/1807/F	LOC	Queen's University Belfast University Road BT7 1NN.	Replacement of 2 security huts with 2 new heritage style huts.	Permission Granted
LA04/2022/1821/F	LOC	31 Castle Gardens Belfast BT15 4GB.	Design amendments to originally approved Planning Application LA04/2015/1071/F: proposed first floor layout altered to provide small balcony to rear of Bedroom 3, changes to the door and window opening in the rear elevation.	Permission Granted
LA04/2022/1848/NMC	LOC	Apartment 16, Lacefield, Belfast, BT4 3HE.	Non material change LA04/2017/1682/F.	Non Material Change Granted
LA04/2022/1851/LBC	LOC	Broadcasting House Ormeau Avenue Belfast BT2 8HQ.	Proposed installation of mechanical ventilation air-handling plant, ductwork connections and an associated access and maintenance area on roof of the existing BBC Broadcasting House.	Consent Granted

LA04/2022/1853/F	LOC	Broadcasting House Ormeau Avenue Belfast BT2 8HQ.	Proposed installation of mechanical ventilation air-handling plant including 3no. outdoor cooling units, ductwork connections and an associated access and maintenance area on roof of the existing BBC broadcasting house.	Permission Granted
LA04/2022/1881/DC	LOC	31-39 Queen Street Belfast BT1 6EA.	Discharge of condition 20 LA04/2021/0303/F.	Condition Discharged
LA04/2022/1888/F	LOC	2 St Bernadettes Avenue Belfast BT12 7FF.	Single storey rear extension.	Permission Granted
LA04/2022/1905/LDP	LOC	e3 Belfast MET Springfield Campus 389 Springfield Road Belfast BT12 7DU.	Installation of solar panels.	Permitted Development
LA04/2022/1919/F	LOC	1 Upper Malone Road Belfast BT9 6DT.	2 Storey rear extension, new balcony and widening of vehicular access	Permission Granted
LA04/2022/1926/F	LOC	48 Bladon Drive Belfast BT9 5JN.	Ground floor and first floor extension to all sides.	Permission Granted
LA04/2022/1935/F	LOC	6 Joys Entry Belfast BT1 4DR.	Change of use from retail to public art gallery.	Permission Granted
LA04/2022/1937/F	LOC	14 Malone Park Lane Belfast BT9 6NQ	Proposed first floor extension to infill the existing external terrace at the front of the dwelling and works to the front boundary to include new hedge, railings, brick piers and gates.	Permission Granted

LA04/2022/1943/DC	LOC	Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP.	Discharge of condition 28 (North and South Gate Lodges) LA04/2018/1219/F.	Application Withdrawn
LA04/2022/1947/LDE	LOC	49 Damascus Street Belfast BT7 1QR.	House in multiple occupancy (HMO).	Permitted Development
LA04/2022/1988/DCA	LOC	9 Cyprus Avenue Belfast BT5 5NT	Demolition of external kitchen and dining room walls to courtyard on ground floor. External wall to wc on ground floor Enclosing wall to courtyard.	Consent Granted
LA04/2022/2005/F	LOC	10 Grangeville Gardens Belfast BT10 0HJ.	Double storey extension to rear & raised decking/patio	Permission Granted
LA04/2022/2019/LBC	LOC	2 Royal Avenue Belfast BT1 1DA.	Proposed alterations to a listed building including provision of new structural opening with pedestrian entrance doors, roller shutters, improved boundary treatments and minor internal renovations.	Consent Granted
LA04/2022/2071/PAD	LOC	45 Little Donegall Street Belfast BT1 2JD.	Addition of 7 new apartments to existing development.	PAD Concluded
LA04/2022/2079/DC	LOC	Former Belvoir Park Hospital Site South Gate Lodge Hospital Road Belfast BT8 8JP.	Discharge of condition 10 LA04/2018/1056/LBC.	Application Withdrawn

LA04/2022/2080/DC	LOC	Former Belvoir Park Hospital Site (South Gate Lodge) Hospital Road Belfast BT8 8JP	Discharge of condition 7 of LA04/2018/1056/LBC and Condition 28 of LA04/2018/1219/F (Demolition Method Statement - South Gate Lodge)	Condition Discharged
LA04/2023/2305/F	LOC	23 Cabin Hill Park, Belfast, BT5 7AL	Single storey side extension, new flat roof dormer to rear. Change of roof type from hipped to pitched.	Permission Granted
LA04/2022/2179/NMC	LOC	81-107 YORK STREET BELFAST ANTRIM BT15 1AB	NMC to Z/2015/0138/F comprising internal reconfiguration of ground floor retail units from two separate retail units to one retail unit.	Non Material Change Refused
LA04/2022/2200/F	LOC	1 HILL STREET TOWN PARKS BELFAST ANTRIM BT1 2LA	CHANGE OF USE OF PART 2ND FLOOR FROM PUBLIC HOUSE TO OFFICE USE	Permission Granted
LA04/2022/2121/F	LOC	4 St James Gardens Belfast BT12	Single storey rear extension	Permission Granted
LA04/2022/2122/F	LOC	28 KINGSWAY AVENUE TULLYCARNET BELFAST DOWN BT5 7DN	Proposed new single storey extension to rear of existing dwelling with raised patio	Permission Granted
LA04/2022/2125/F	LOC	5 Brooke Crescent Belfast BT11 9NL	Single storey rear and side extension	Permission Granted

LA04/2022/2261/LBC	LOC	364 Lisburn Road, Malone Lower, Belfast, BT9 6GL	Internal alterations including the demolition of non-original partitions; structural alterations including new openings in existing walls; provision of new accessible WC; installation of new services including new heating system, new wiring and ventilation; re-opening blocked up doorway to the side; infill of opening on external wall with metal signage plate.	Consent Granted
LA04/2022/2130/F	LOC	118 KNOCKBREDA PARK GALWALLY BELFAST DOWN BT6 0HG	Single storey extension to rear	Permission Granted
LA04/2022/2131/F	LOC	91 FORTWILLIAM PARK SKEGONEILL BELFAST ANTRIM BT15 4AS	Single storey flat roof kitchen/dining extension with raised deck area.	Permission Granted
LA04/2022/2265/F	LOC	42 MONAGH ROAD BALLYMURPHY BELFAST ANTRIM BT11 8EF	Two storey extension to the rear of property	Permission Granted
LA04/2022/2135/F	LOC	4 ST JAMES AVENUE BALLYMURPHY BELFAST ANTRIM BT12 6DU	Single story rear & side extension with raised patio. Proposed rear dormer.	Permission Granted
LA04/2022/2143/F	LOC	12 BROOKLAND STREET MALONE LOWER BELFAST ANTRIM BT9 7FZ	2 story rear extension to self-contained self-catering holiday accommodation. <input type="checkbox"/>	Permission Granted

LA04/2022/2145/F	LOC	40 CLOONA PARK DUNMURRY DUNMURRY ANTRIM BT17 0HH	Single storey extension to rear of dwelling to provide rear lobby and shower room.	Permission Granted
LA04/2022/2156/F	LOC	26 SKEGONEILL DRIVE SKEGONEILL BELFAST ANTRIM BT15 3FY	Single storey rear extension.	Permission Granted
LA04/2023/2289/DC	LOC	1 HOSPITAL ROAD BALLYDOLLAGHAN BELFAST DOWN BT8 8JP	Basement, ground and first floor plans. North, South, East and West Elevations. (West House). Discharge of Condition 6 - LA04/2018/1056/LBC	Application Withdrawn
LA04/2023/2306/DC	LOC	1 Hospital Road, Belfast, BT8 8JP	Cover letter, demolition method statement, schedule of internal photographs and approved demolition drawings Discharge of condition 7 - LA04/2018/1056/LBC and Condition 28 of LA04/2018/1219/F (Admin Building)	Application Withdrawn
LA04/2022/2223/F	LOC	8 NORTH HILL STREET TOWN PARKS BELFAST ANTRIM BT15 1FS	Amendment to LA04/2022/0975/F - (rear wall to be pushed back by 1090mm). Single storey extension to rear of property with some internal alterations. Existing rear WC and porch to be removed, including existing internal walls.	Permission Granted
LA04/2022/2176/F	LOC	320 LISBURN ROAD MALONE LOWER BELFAST ANTRIM BT9 6GH	Proposed escape door and external staircase to rear. Replacement of existing windows. Mesh steel gate and anti-climb fence.	Permission Granted

LA04/2022/2188/CLEUD	LOC	14 CHADWICK STREET MALONE LOWER BELFAST ANTRIM BT9 7FB	Existing House of multiple occupancy	Permitted Development
LA04/2022/2192/CLEUD	LOC	21 Chadwick Street Belfast BT9 7FB	House of multiple occupancy	Permitted Development
LA04/2023/2328/CLEUD	LOC	23 RIDGEWAY STREET MALONE LOWER BELFAST ANTRIM BT9 5FB	Existing use: use as a HMO	Permitted Development
LA04/2022/2219/F	LOC	10-16 CASTLE PLACE TOWN PARKS BELFAST ANTRIM BT1 1GB	Change of use from class C1 to Class C2 serviced apartments for short term occupation - 9no. apartments.	Permission Granted
LA04/2022/2229/DC	LOC	Former Belvoir Park Hospital Site Hospital Road Belfast BT8 8JP	Discharge of condition 6 LA04/2018/1056/LBC and Condition 27 of LA04/2018/1219/F (External vents etc South Gate Lodge)	Condition Discharged
LA04/2022/2237/PAD	LOC	Malone Road SW2 Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded
LA04/2022/2239/PAD	LOC	Malone Road SW Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded
LA04/2022/2240/PAD	LOC	Urgent Care Centre RT Royal Victoria Hospital Falls Road Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded
LA04/2022/2241/PAD	LOC	Breda House Drumart Drive Belvoir Estate Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded

LA04/2022/2243/PAD	LOC	LLoyds Cromac Place Belfast	New rooftop, greenfield and streetworks base station installations	PAD Concluded
LA04/2022/2244/PAD	LOC	Malone Road SW1 Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded
LA04/2022/2245/PAD	LOC	Wilson Street Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded
LA04/2022/2246/PAD	LOC	Moveen House Benmore Drive Belfast	New rooftop, greenfield and streetworks base station installations.	PAD Concluded
LA04/2023/2476/CLEUD	LOC	106 MELROSE STREET MALONE LOWER BELFAST ANTRIM BT9 7DQ	Existing use: Multiple Occupation (HMO)	Permitted Development
LA04/2023/2482/F	LOC	49 GRAND PARADE BALLYRUSHBOY BELFAST DOWN BT5 5HG	Attic conversion with dormer to the side of hipped roof.	Permission Granted
LA04/2022/2285/F	LOC	1 BELLEVUE STREET TOWN PARKS BELFAST ANTRIM BT13 2BT	Change of use - Retail unit shop which will include off licence within the shop.	Permission Granted
LA04/2023/2404/F	LOC	125 BROOKE DRIVE DUNMURRY BELFAST ANTRIM BT11 9NR	The development is a proposed single storey extension to the gable of the existing property. An existing single storey garage is to be removed prior to the construction of the extension.	Permission Granted
LA04/2022/2317/F	LOC	30 Shandon Park Belfast BT5 6NX	Roofspace conversion with dormer to side	Permission Granted

LA04/2023/2365/F	LOC	BLOCK C 19 HERON ROAD BELFAST DOWN BT3 9LE	New security fencing to side and rear of Block C 19 Heron rd, including vehicular and pedestrian gates.	Permission Granted
LA04/2023/2370/CLEUD	LOC	28 AGINCOURT AVENUE MALONE LOWER BELFAST ANTRIM BT7 1QA	House Existing use: Has a HMO license a number of years	Permitted Development
LA04/2023/2407/A	LOC	Minnowburn Beeches Carpark Edenderry Road, Belfast, BT8 8LE	Proposed Panel, Post and fingerpost sign	Consent Granted
LA04/2022/2367/CLEUD	LOC	Flat 1, 60 University Avenue Belfast BT7 1GY	House of multiple occupation	Permitted Development
LA04/2022/2375/A	LOC	Spar Malone 70-74 Malone Road Belfast BT9 5BU	Shop signage to building and banner signage to boundaries	Consent Granted
LA04/2022/2389/F	LOC	85 KILCOOLE GARDENS OLD PARK BELFAST ANTRIM BT14 8LF	Proposed roofspace conversion and internal alterations	Permission Granted
LA04/2023/2512/F	LOC	95 LAGMORE DALE LAGMORE DUNMURRY ANTRIM BT17 0TF	Proposed single storey extension to rear of dwelling	Permission Granted
LA04/2023/2498/CLOPUD	LOC	6A PRINCE REGENT ROAD CARNAMUCK BELFAST DOWN BT5 6QR	Installation of condensing units and associated pipework critical to the safe storage of Pharma-product due to failure of existing	Permitted Development

LA04/2023/2546/F	LOC	1 GREENWOOD PARK BALLYCLOGHAN BELFAST DOWN BT4 3JN	Demolition of two single-storey rear extensions and the addition of a single-storey extension to the rear with a flat roof.	Permission Granted
LA04/2023/2542/F	LOC	24 GLENGOLAND PARADE DUNMURRY Belfast BT17 0JF	Alterations and Extensions to dwelling to include single storey extension to the rear, proposed extension to the first floor and elevational changes to dwelling.	Permission Granted
LA04/2023/2560/F	LOC	48 BROADWAY TOWN PARKS BELFAST ANTRIM BT12 6AS	Conversion of existing residential property into a house of multiple occupation. Including removal of chimney breast to main roof, and minor alterations to window and door layouts to rear elevation.	Permission Granted
LA04/2023/2577/F	LOC	16 ROSETTA DRIVE BALLYNAFOY BELFAST DOWN BT7 3HL	Single storey rear extension and associated alterations.	Permission Granted
LA04/2023/2626/CLEUD	LOC	21 AVA AVENUE BELFAST BT7 3BN	Existing use: This property has been rented as a registered HMO for over five years	Permitted Development
LA04/2023/2599/CLOPUD	LOC	173 GILNAHIRK ROAD GILNAHIRK BELFAST DOWN BT5 7QP	Extension to first floor rear dormer, new pitched roof to sun room, elevational changes and internal improvements	Permitted Development
LA04/2023/2594/WPT	LOC	27B DERAMORE PARK MALONE UPPER BELFAST ANTRIM BT9 5JX	Works to 6 trees	Works to Trees in CA Agreed

LA04/2023/2655/CLEUD	LOC	106 TATES AVENUE MALONE LOWER BELFAST ANTRIM BT9 7BZ	Existing use: Property used as a HMO dwelling for over 5 years	Permitted Development
LA04/2023/2650/F	LOC	32 GLENGOLAND GARDENS BALLYCULLO TOM OF THE TAE- END DUNMURRY ANTRIM BT17 0JE	Proposed new single storey kitchen dining room extension to rear of existing dwelling. External rendering to entire dwelling, new stone facade to entrance and fenestration changes.	Permission Granted
LA04/2022/2653/F	LOC	84 OLD HOLYWOOD ROAD BALLYMAGHAN BELFAST DOWN BT4 2HP	Proposed single storey and two storey rear extension.	Permission Granted
LA04/2023/2677/CLEUD	LOC	Flat 2, 60 UNIVERSITY AVENUE MALONE LOWER BELFAST ANTRIM BT7 1GY	HMO	Permitted Development
LA04/2023/2681/PAD	LOC	45-47 Ravenhill Road, Belfast.	New telecoms infrastructure	PAD Concluded
LA04/2023/2680/DCA	LOC	17-21 BRUCE STREET MALONE LOWER BELFAST ANTRIM BT2 7JD	Section of pitched roof removed to the rear of the building to create new exterior flat roof area and a section of monopitched roof removed over small escape stair to create new flat roof area to take floor mounted AC condensing units.	Consent Granted
LA04/2023/2700/CLOPUD	LOC	12 Ardenlee Parade, Belfast, BT6 0AL	Construction of a lean too/flat roof domestic storage shed to side of existing house.	Permitted Development

LA04/2023/2689/WPT	LOC	3 MALONE RIDGE MALONE UPPER BELFAST ANTRIM BT9 5QW	Works to 2 trees	Works to TPO Granted
LA04/2023/2717/CLEUD	LOC	60 Rugby Avenue, Malone Lower, Belfast, BT7 1RG	Existing use: House in multiple occupation.	Permitted Development
LA04/2023/2751/NMC	LOC	Land adjacent to and south east of the River Lagan, west of Olympic Way off Queens Road, Queens Island, Belfast, BT2 9EQ	Series of internal and external changes to plots 9, 11 and 11A of the development approved under LA04/2021/2280/F. (Refer to supporting information for full description of revision)	Non Material Change Granted
LA04/2023/2728/DC	LOC	Lacefield, Belfast, BT4 3PA	Discharge of condition 8 LA04/2017/1682/F.	Condition Not Discharged
LA04/2023/2727/DC	LOC	56-58 Townsend Street, Belfast, BT13 2ES	Discharge of Condition no.2 - LA04/2022/1029/F	Condition Discharged
LA04/2023/2731/WPT	LOC	88 Malone Road, Belfast, BT9 5HP	Works to 1 tree	Works to Trees in CA Agreed
LA04/2023/2732/WPT	LOC	39B Kings Road, Belfast, BT5 6JG	Works to 3 trees	Works to Trees in CA Agreed
LA04/2023/2824/WPT	LOC	14 and 15 in Clonallon Square, Belfast BT4 2AP	Works to 1 tree.	Works to TPO Granted
LA04/2023/2825/WPT	LOC	Ascot House, Windsor Avenue North, Belfast, BT9 6EL	Worsk to 2 trees - 1 Pine and 1 Holly	Works to Trees in CA Agreed
LA04/2023/2826/WPT	LOC	7 Cyprus Avenue, Belfast, BT5 5NT.	Works to 1 tree.	Works to Trees in CA Agreed
LA04/2023/2827/WPT	LOC	26/28 Sagimor Gardens Belfast, BT5 5LW	Works to 1 tree.	Works to TPO Granted
LA04/2023/2828/WPT	LOC	20 Haddo Woods, Belfast, BT8 8LJ.	Complete prune with a crown reduction of 2-3m, 1x Acer pseudoplatanus	Works to TPO Granted
LA04/2023/2829/WPT	LOC	Lacefield, East Belfast, BT4 3PA	Works to 8 trees	Works to TPO Granted

LA04/2023/2860/NMC	LOC	Beaufort House 31 Wellington Place, Belfast, BT1 6BH	Non-Material Change to the wording of Condition No 02 of LA04/2022/1657/F	Non Material Change Granted
LA04/2023/2867/WPT	LOC	25A Deramore Park, Belfast, BT9 5JX	Works to 2 trees.	Works to Trees in CA Agreed
LA04/2023/2904/PAN	LOC	Lands at Stormont Estate Upper Newtownards Road, Belfast, BT4 3SB	Short duration Geothermal Ground Source Heating Demonstration Project comprising shallow drilling, testing and completion of 5 no. exploratory boreholes, associated temporary access, compound areas and mobile public information kiosk	Proposal of Application Notice is Acceptable
LA04/2023/2921/WPT	LOC	54 Osborne Park, Belfast, BT9 6JP	Works to 10 Trees.	Works to Trees in CA Agreed
				<u>Total Decisions</u>



Subject:	Delegation of Local applications with NI Water objections
Date:	18 April 2023
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Ciara Reville, Principal Planning Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	The Planning Committee will recall that at its meetings on 27 June 2022, 14 November 2022 14 February 2023 and 14 March 2023, it agreed to delegate authority to the Director of Planning and Building Control the determination of a number of Local applications to which NI Water had objected.
1.2	The Council continues to receive objections from NIW to some Local applications. The purpose of this report is to seek the Committee's agreement to delegate to officers those Local planning applications to which NI Water has objected as set out at Appendix 1 .
1.3	For the avoidance of doubt, it is only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water which are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it may later transpire require to be referred to the Committee for other reason/s (other than the NI Water objection) will be reported to the Committee to determine. Individual

	Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
2.0	Recommendation
2.1	That the Committee agrees to delegate to the Director of Planning and Building Control those Local planning applications to which NI Water has objected set out at Appendix 1 .
3.0	Main Report
	<u>Background</u>
3.1	The Committee will be aware from the Committee Workshop on 18 November 2021 that NI Water has objected to a significant number of Local applications on grounds of insufficient waste-water infrastructure capacity.
3.2	As advised at the Committee Workshop, officers have been engaging with NI Water to try to resolve those objections. Whilst progress is being made, and NI Water is actively considering a threshold for the scale and nature of development above which they would like to be consulted on future planning application, the objections to these Local applications remain.
	<u>Scheme of Delegation</u>
3.3	Members will be aware that the Council operates a Scheme of Delegation for Planning which identifies which matters are to be determined by the Committee and which are delegated to officers.
3.4	Paragraph 3.8.5 (f) of the Scheme of Delegation (January 2020) states that planning applications are not delegated where <i>'There is an objection from a statutory consultee and the recommendation of the Planning Officer is to approve.'</i> This means that those applications are required to be determined by the Planning Committee.
3.5	The Planning (General Permitted Development) Order (Northern Ireland) 2016 identifies NI Water as a statutory consultee <i>'...where a development proposal is likely to significantly impact upon the availability of suitable water and sewerage infrastructure to service development proposals.'</i>
3.6	This means that where NI Water has lodged an objection to a Local application and the officer recommendation is to approve, the application cannot be delegated and must be determined by the Committee.
3.7	Therefore, at its meeting on 27 June 2022, 14 November 2022, 14 February 2023 and 14 March 2023, the Committee agreed to delegate 97, 25 and 18 Local applications respectively with NI Water objections to the Director of Planning and Building Control. This has avoided the potential need to report all 150 applications individually to the Committee. To have reported all those applications to the Committee would have been logistically extremely difficult, costly and would have resulted in further delays for applicants.
	<u>Nature of NI Water objections</u>
3.8	NI Water has lodged objections to Local applications for one or both of the following reasons. <ul style="list-style-type: none"> a) There is insufficient capacity at the local Waste Water Treatment Plant to support the proposed development; and/or b) There is insufficient network capacity within existing Combined Storm Overflows to support the development.

3.9	In broad terms, NI Water is concerned that a lack of infrastructure capacity would give rise to risk of environmental harm including pollution, flooding and adverse impact on existing property. In some cases, NI Water is concerned that the application site may be hydrologically linked to Belfast Lough and may harm its water quality.
3.10	However, despite requests, NI Water has to date not provided robust evidence to support individual objections including demonstration of actual specific impacts resulting from individual proposals that stems from their broad concerns outlined above.
3.11	Importantly, allowance must be made for existing significant committed development across the city including extant planning permissions. It is highly unlikely that all such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will come forward at once, if at all. In practical terms it would be unreasonable for the Council to withhold planning permission given the fall-back of the need to connect those developments to existing waste water infrastructure.
3.12	In the case of Waste Water Treatment capacity, NI Water advises that there will be increased capacity from July 2023, albeit this will not be sufficient to address long term waste water treatment plant infrastructure requirements.
3.13	The Council must be mindful that were it to refuse planning permission based on NI Water's concerns, it would need to provide robust evidence to the Planning Appeals Commission in the event that the applicant appeals the decision. In the absence of robust evidence, it would be unreasonable to refuse planning permission. NIW have in recent months added further detail to their responses but sufficient robust evidence has not been provided..
	<u>Habitats Regulations Assessment</u>
3.14	Officers have met with Shared Environmental Services (SES). Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also "in combination" impacts with other development.
3.15	Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NIW to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a "significant effect" on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification the Council will consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This would also trigger statutory consultation with DAERA NI Environment Agency. The Planning Service will consult SES and DAERA on a case by case basis as required.
	<u>Local applications for which delegated authority is sought to determine</u>
3.16	The further Local applications to which NI Water has objected and which delegated authority is sought to determine are listed at Appendix 1 .
3.17	It should be noted that only those applications which would have been delegated to officers under the Scheme of Delegation were it not for the objection from NI Water are proposed to be delegated. Therefore, any of the Local applications listed at Appendix 1 which it

	transpires need to be referred to the Committee for other reason/s under the Scheme of Delegation will be reported to the Committee to determine. Individual Members can also still request that the applications at Appendix 1 are referred to the Committee under paragraph 3.8.1 of the Scheme of Delegation.
4.0	Financial & Resource Implications
4.1	Officers are aware of the infrastructure issues which NI Water are facing and have had regard to that in making this recommendation to Committee. However, each application must be assessed on its own merits and officers have sought detailed evidence to support the objections which have been provided by NI Water. That has not been forthcoming.
4.2	The cost and resources involved in individually reporting all Local applications to which NI Water has objected to the Planning Committee would be considerable. It would also require several additional sittings of the Committee.
4.3	Regard is also had to the considerable current pressures on the Planning Service and staff with an extremely high volume of live applications on hand due to the longer-term impacts of COVID-19 and ongoing technical issues with the new Planning Portal. The impacts of COVID-19 and other operational pressures were reported in detail to the 15 th February 2022 Planning Committee, item 12a. (hyperlink). In addition, technical issues with the new Planning Portal have reduced the rate of decisions. Combined with several key vacancies, total live applications have increased to around 1,100 application, an approximate 40% increase since pre-pandemic levels. It is very important that the Planning Service implements a range of measures to reduce live applications back down to more manageable levels. This includes securing delegated authority from the Committee for officers to deal with these Local applications subject to NI Water objections.
4.4	For the reasons set out above, officers are of the view that it would be appropriate to continue to delegate these applications.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – List of Local applications which are proposed to be delegated to officers to determine.

**Appendix 1 – Local applications with NIW objections
(April 2023)**

	DEA	REFERENCE	DATE RECEIVED	PROPOSED	ADDRESS
1	Botanic	LA04/2022/0679/F	07/12/2023	Change of use from retail unit to restaurant	3 BEDFORD SQUARE TOWN PARKS BELFAST ANTRIM BT2 7ES
2	Botanic	LA04/2022/2110/F	16/11/2023	3 Storey building. Ground floor retail, 1st floor 1 bedroom apartment and 2nd floor 2 bedroom apartment.	96 Donegall Pass, Belfast. BT7 1BX
3	Botanic	LA04/2023/2603/F	29/01/2023	Change of Use of Offices to 7 No. 1 Bedroom short-term private-rental apartments and alterations to rear return.	15 MALONE ROAD MALONE LOWER BELFAST ANTRIM BT9 6RT
4	Botanic	LA04/2023/2694/F	14/02/2023	Change of use from offices to 6no. short-term stay apartments including 3 storey rear extension and internal alterations.	139 UNIVERSITY STREET MALONE LOWER BELFAST ANTRIM BT7 1HP
5	Botanic	LA04/2023/2754/F	24/02/2023	Change of Use of 1st, 2nd 3rd and 4th floors of vacant office accommodation to 12 No. 1 bedroom short term serviced apartments with ancillary building works.	1-5 ROYAL AVENUE TOWN PARKS BELFAST ANTRIM BT1 1FB
6	Castle	LA04/2022/0988/F	29/03/2022	Change of use to café including awning, screening and seating to front and installation of extract duckwork	634-636 Antrim Road Belfast BT15 5GP
7	Botanic	LA04/2022/2268/F	9/12/2022	Conversion of Masonic Hall to provide 11 apartments including the demolition of rear return and erection of two-storey extension	13 Park Road, Belfast BT7 2FW
8	Titanic	LA04/2022/2319/F	16/12/2022	Demolition of existing property and redevelopment of site with 4 storey apt block comprising 8No 2 Bed Apartments	118-122 CASTLEREAGH ROAD BT5 5FS
9	Ormiston	LA04/2023/2709/F	03/02/2023	Demolition of existing buildings and erection of social housing development comprising 30 no. apartments across 3 buildings with amenity space, landscaping, car parking and associated site works	Lands at Apartment Blocks 1-3 Clonaver Drive Belfast BT4 2FB

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ADDENDUM REPORT No. 2	
Committee Meeting Date: 18th April 2023	
Application ID: LA04/2022/1479/F	
Proposal: Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.	Location: Former NI Water Ltd Sewage Treatment Works Blackstaff Road Belfast BT11 9DT
Referral Route: Major Development	
Recommendation:	Approve subject to conditions
Applicant Name and Address: Northern Ireland Water NI Westland House 40 Old Westland Road Belfast BT14 6TE	Agent Name and Address: Resolve Planning & Development Innovation Factory Forthriver Business Park 385 Springfield Road Belfast BT12 7DG
Background This application was deferred by the Planning Committee on 14 March 2023 to enable Members the opportunity to consider this application alongside planning application LA04/2022/1280/F (Proposed social housing led, mixed tenure residential development comprising of 52 no. dwellinghouses and 87 no. apartments with public open space, children's play park, landscaping, car parking, associated site works and infrastructure and access arrangements from Blackstaff Road (139 no. units in total) also located on Blackstaff Road. Members should read this second Addendum Report in conjunction with the original full planning report and the first Addendum Report both appended. At the March Planning Committee, Members raised a concern that the proposed development could have an 'in principle' environmental impact on a live planning application for proposed residential development for social housing on an adjacent site (planning ref: LA04/2022/1280/F). Officers have sought the view of Environmental Health and further information has been provided by the applicant to provide clarification on the frequency of night-time activities and odour. Following consideration Environmental Health advise that the approval of the proposed NI Water development would not have an adverse impact on the proposed housing development on the adjacent site. Based on information provided by the applicant, Environmental Health consider that the need for out of hours access will be intermittent, emergency access less again, and the degree of activity on site during night time hours would not give cause for noise impact concern	

especially set in the context of other noise sources already extant in the area during the evening and at night associated with a number of commercial premises that already exist in the immediate area.

Furthermore, Environmental Health advise that the proposed mitigation measures by way of glazing and alternative means of ventilation for the proposed housing development have been designed to a high specification to deal with existing high noise levels measured and modelled in the area during the daytime and at night. The additional access requirements to the redeveloped NI Water site (with the new access point) at night and the relatively low level of activity on site during this time would not, in the opinion of Environmental Health Officers, lead to a significant increase in noise levels in the area on those occasions such that the proposed mitigation measures (for the housing development) would not be designed to deal with.

With regard to odour, the RPS Odour Impact Assessment accompanying this planning application concluded a low level impact and that odour is typically transient. Additionally, the odour source is not part of the proposed development and lies outside the application site. Notwithstanding, Environmental Health consider that the proposed residential development is further away than the RPS subjective odour monitoring positions, and given the prevailing wind direction, i.e. south westerly, there is unlikely to be significant impact on external amenity areas within the proposed housing development.

In conclusion, officers are satisfied that the proposed development would not give rise to unacceptable impacts should the proposal for social housing proceed.

Recommendation

As per the previous Committee report, the recommendation to approve subject to conditions remains unchanged.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

ADDENDUM REPORT

Committee Meeting Date: 14th March 2023

Application ID: LA04/2022/1479/F

Proposal:

Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.

Location:

Former NI Water Ltd Sewage Treatment Works Blackstaff Road Belfast BT11 9DT

Referral Route: Major Development

Recommendation:

Approve subject to conditions

Applicant Name and Address:

Northern Ireland Water NI
Westland House
40 Old Westland Road
Belfast
BT14 6TE

Agent Name and Address:

Resolve Planning & Development
Innovation Factory
Forthriver Business Park
385 Springfield Road
Belfast
BT12 7DG

Background

This application was deferred for a site visit by the Planning Committee on 14 February 2023 to allow Members the opportunity to undertake a site visit. The Committee site visit took place on 24 February 2023.

The Committee should read this Addendum Report in conjunction with the original full planning report, appended.

Recommendation

As per the previous Committee report, the recommendation to approve subject to conditions remains unchanged.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 February 2023	
Application ID: LA04/2022/1479/F	Target Date:
Proposal: Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.	Location: Former NI Water Ltd Sewage Treatment Works Blackstaff Road Belfast BT11 9DT
Referral Route: Major Development	
Recommendation:	Approve subject to conditions
Applicant Name and Address: Northern Ireland Water NI Westland House 40 Old Westland Road Belfast BT14 6TE	Agent Name and Address: Resolve Planning & Development Innovation Factory Forthriver Business Park 385 Springfield Road Belfast BT12 7DG
<p>Executive Summary: This application seeks full planning permission for the partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.</p> <p>The site comprises the site of the former Kennedy Way Waste Water Treatment Works which ceased use in 2000.</p> <p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • The principle of the proposed use at this location • Impact on the character and appearance of the area • Compatibility with adjacent uses • Access, parking and traffic management • Environmental Considerations – Drainage, Contamination, Noise, Impact on Designated Sites/Natural Heritage Assets 	

NI water (applicant) advise that the existing NI Water 'Bretland House' facility must be cleared to facilitate the main extension of the Belfast Waste Water Treatment Works at Duncrue which is a key and strategic outcome of the DFI-led Living With Water Programme (the Belfast Strategic Drainage Infrastructure Plan) and that the Kennedy Way Hub proposal forms a fundamental part of the works required to upgrade the Belfast WWTW at Duncrue, the proposal is therefore of strategic importance to both NI Water and the Department for Infrastructure led Living With Water Programme (LWWP).

Consultees are content with the proposal subject to conditions and no third party objections have been received.

Recommendation

Having regard to the development plan, relevant policy context and other material considerations, the proposed development is considered acceptable and it is recommended that full planning permission is granted subject to conditions.

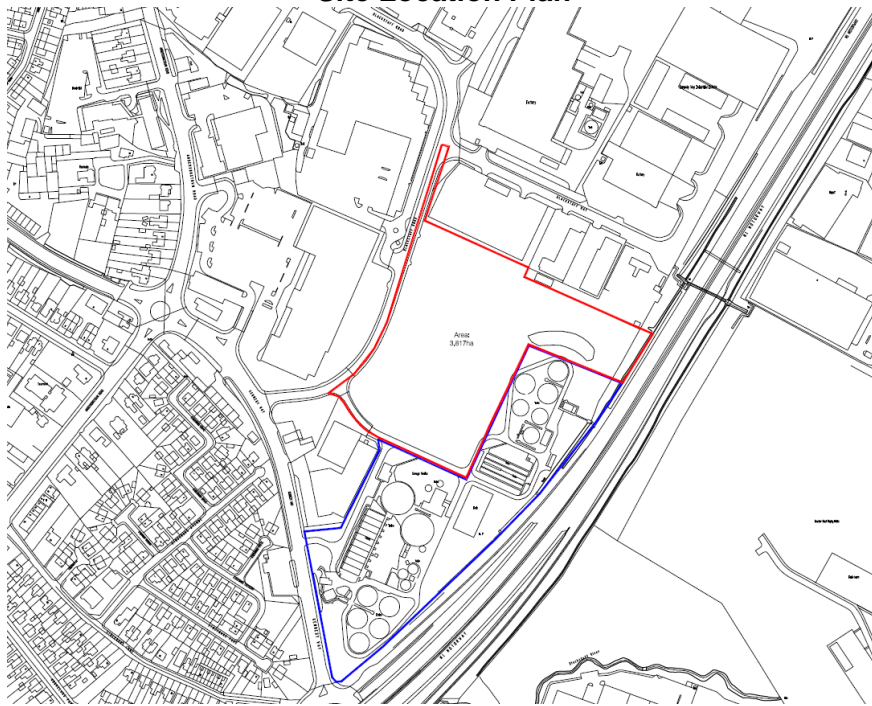
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal any other issues which might arise.

Signature(s):

Case Officer Report

1.0 Drawings

Site Location Plan



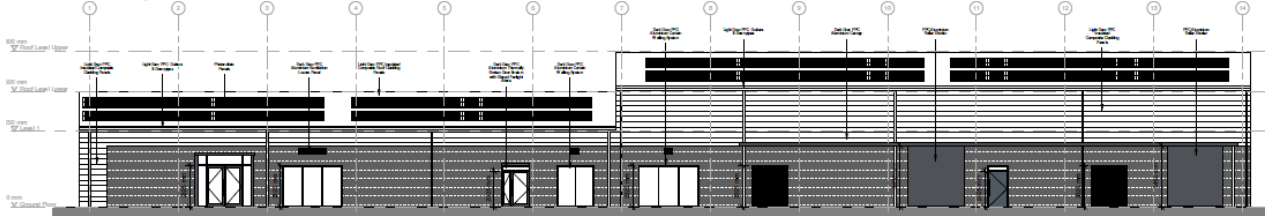
Site Layout



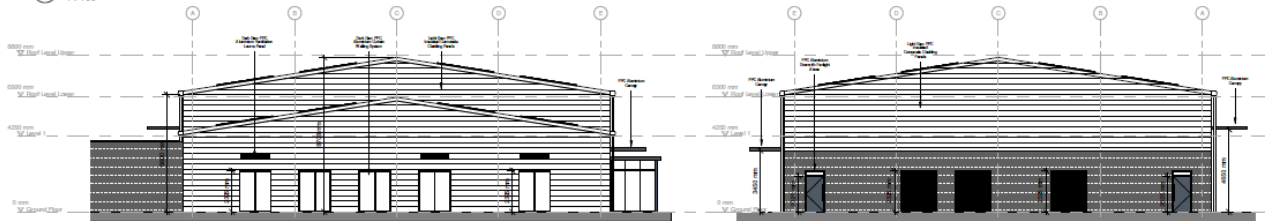
Hub Elevations



3D Views of Proposed Hub Building

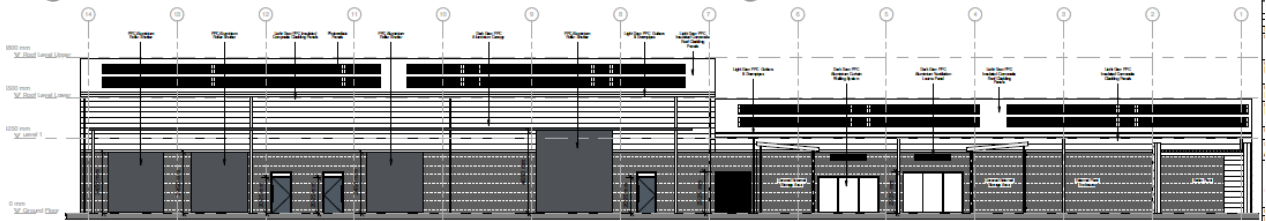


1 Elevation 1
1:100



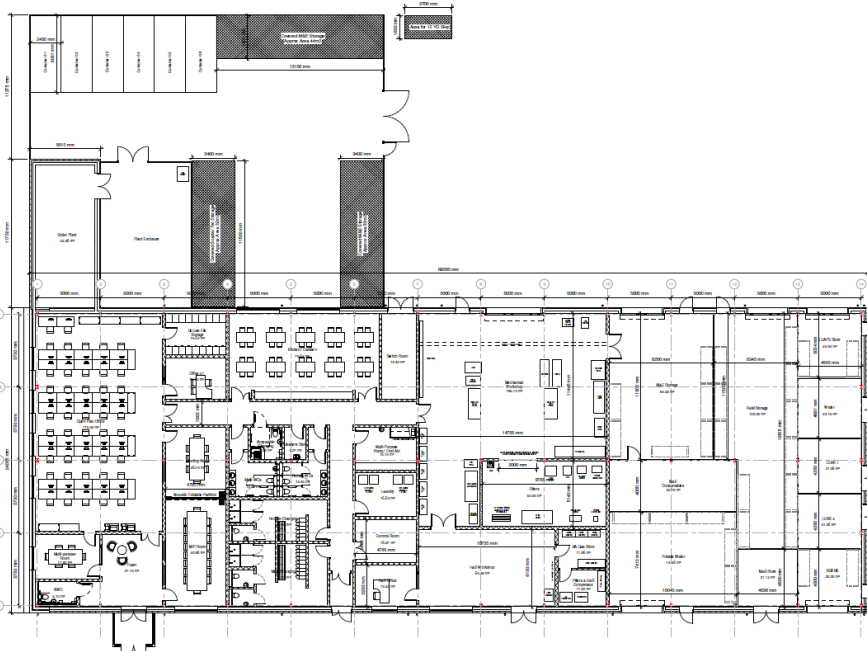
2 Elevation 2
1:100

3 Elevation 3
1:100



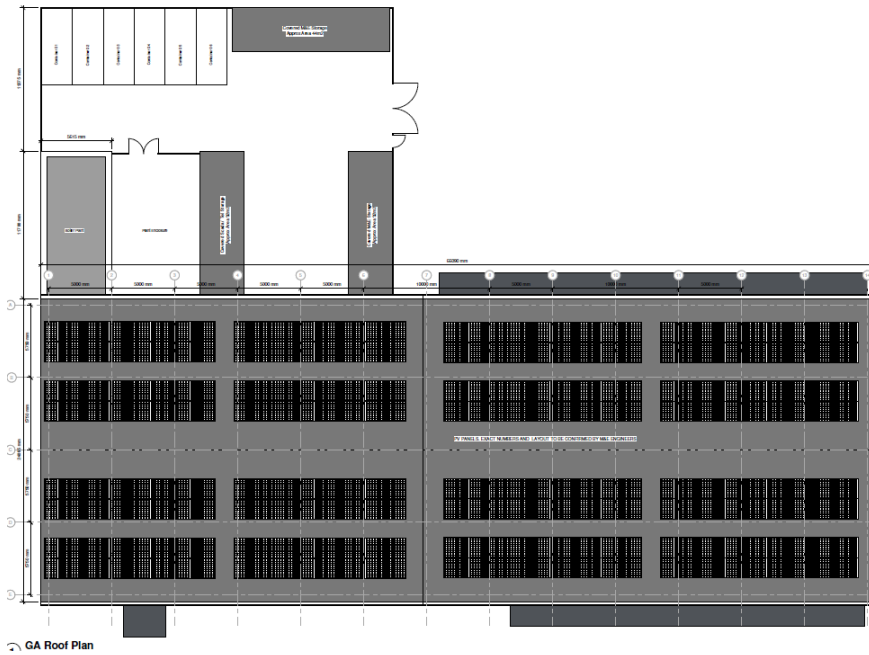
4 Elevation 4
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Hub Ground Floor Plan

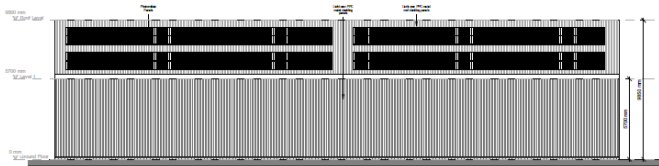


1 Proposed Ground Floor Plan
1:100

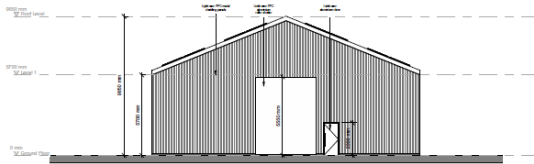
Hub Roof Plan



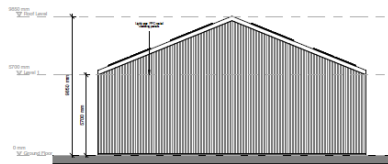
Alternative Water Supply Building (AWS) Elevations



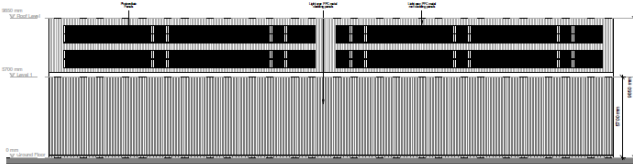
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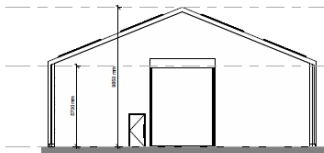
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3 Elevation 3
1:100

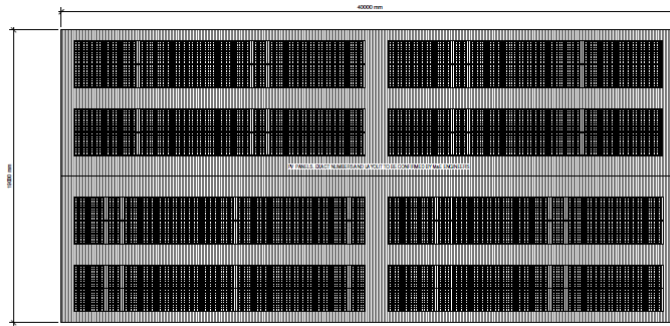


4 Elevation 4
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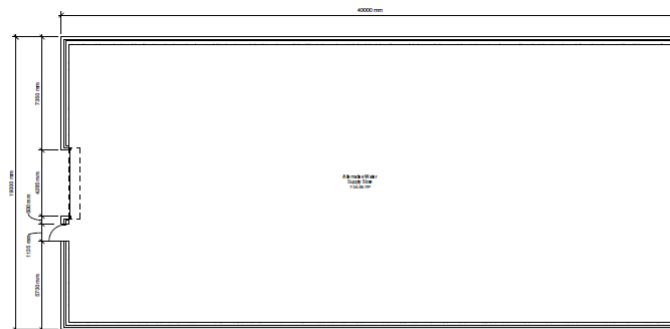


5 Section A - A
1:100

Alternative Water Store (AWS) Ground Floor Plan

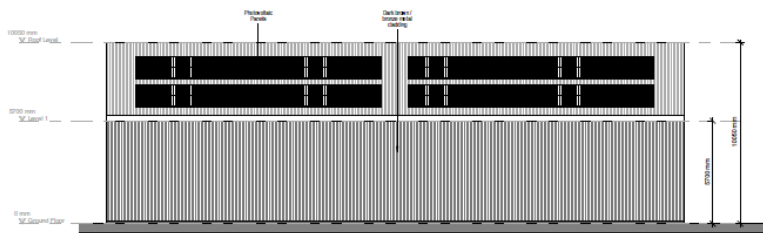


2 Proposed Roof Plan
1:100

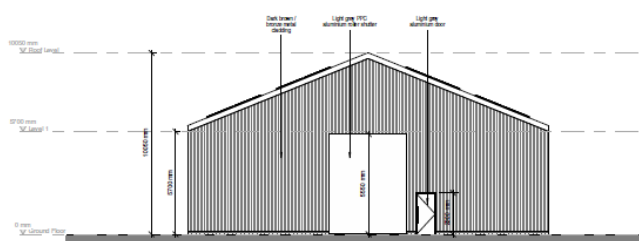


1 Proposed Ground Floor Plan
1:100

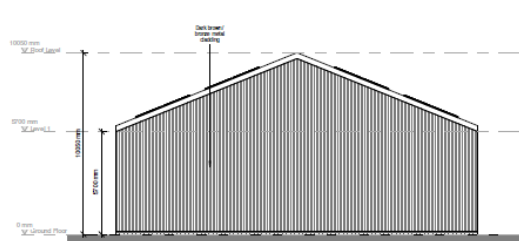
Generator Store Elevation



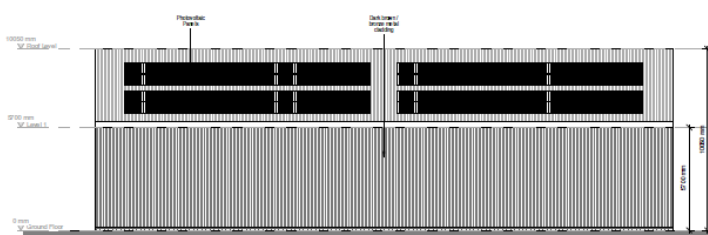
1 Elevation 1
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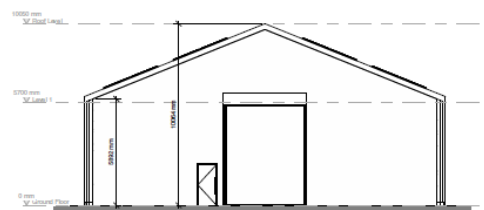
2 Elevation 2
1:100



3 Elevation 3
1:100

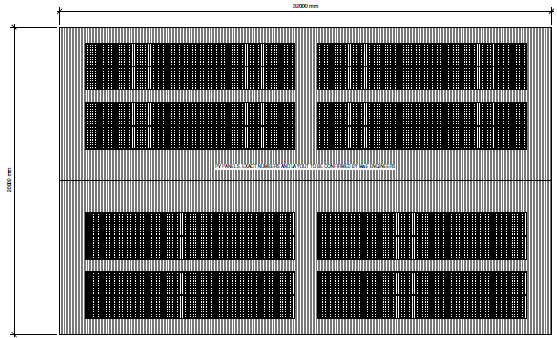


4 Elevation 4
1:100

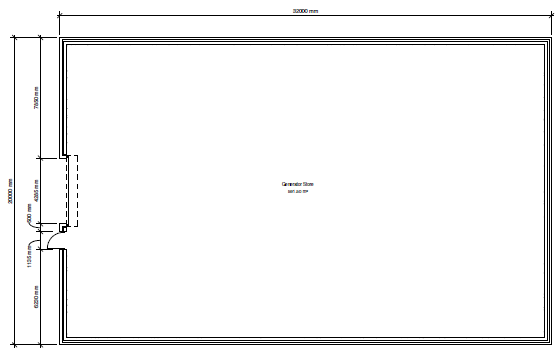


5 Section A - A
1:100

Generator Store Floor Plans



② Proposed Roof Plan
1:100



① Proposed Ground Floor Plan
1:100

CGIs CGI of Hub showing front entrance



CGI of Hub showing rear yard of Hub building



CGI of Alternative Water Supply Building



<p>2.0</p>	<p>Characteristics of the Site and Area The site is located off the Blackstaff Road within an existing commercial/industrial area and comprises part of a former waste water treatment works that operated on the site until 2000 and has now been decommissioned. The M1 Motorway abuts part of the eastern boundary of the site. Blackstaff Road is located along the western boundary, Belfast City Council Civic Amenity Site and existing industrial/employment units are located to the immediate north of the site. An existing access road runs along the southern boundary of the site.</p>
<p>3.0</p>	<p>Description of Proposal</p> <p>3.1 The application seeks full planning permission for the partial redevelopment of former Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities and ancillary offices (development to include three new buildings 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store), access improvements, parking, service yards, storage areas, contractors compound, boundary fencing, cesspool, solar PV panels and landscaping.</p> <p>3.2 The application follows a Pre-Application Discussion (PAD) with officers.</p>

4.0	Planning Assessment of Policy and Other Material Considerations
4.1	<p>Planning Assessment of Policy and Other Material Considerations</p> <p>Regional Planning Policy</p> <ul style="list-style-type: none"> • Regional Development Strategy 2035 (RDS) • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 3 (PPS 3) - Access, Parking and Movement • Planning Policy Statement 13 (PPS 13) - Transportation and Land Use • Planning Policy Statement 15 (PPS 15) - Flood Risk <p>Local Planning Policy Context</p> <ul style="list-style-type: none"> • Belfast Urban Area Plan (2001) BUAP • Draft Belfast Metropolitan Area Plan (2015) • Draft Belfast Metropolitan Area Plan (2004) <p>Other Material Considerations</p> <ul style="list-style-type: none"> • Belfast Agenda Community Plan • Developer Contributions Framework (2020)
4.2	<p>Planning History</p> <p>On the site:-</p> <p>LA04/2022/0668/PAN - Partial redevelopment of former Kennedy Way Waste Water Treatment Works to include the development of new Mechanical & Electrical (M&E) workshops, storage, changing facilities, ancillary offices, access improvements, parking, service yards, boundary fencing and landscaping. It is proposed to develop three buildings on the site: 1) the main hub building; 2) a store to hold an alternative bottled water supply; and 3) a generator store, Sewage Treatment Works, Blackstaff Road, Belfast, BT11 9DT. PAN acceptable 11.04.2022</p> <p>LA04/2021/1325/PAD - Partial redevelopment of former NI Water operational land at Blackstaff Road / Kennedy Way, Belfast to include M&E workshops, storage, changing facilities and associated offices, access improvements, parking, service yards, boundary fence and landscaping, Sewage Treatment Works, Blackstaff Road, Belfast, BT11 9DT.</p> <p>Adjacent to the site:-</p> <p>LA04/2022/1280/F - Proposed social housing led, mixed tenure residential development comprising of 52 no. dwellinghouses and 87 no. apartments with public open space, children's play park, landscaping, car parking, associated site works and infrastructure and access arrangements from Blackstaff Road (139 no. units in total), Former Kennedy Enterprise Centre (north of Westwood Shopping Centre), Blackstaff Road, Belfast BT11 9DT. Decision pending.</p>
4.3	Consultation Responses
4.3.1	<p>Statutory Consultation Responses</p> <p>Responses from statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.</p> <p>DFI Roads – No objection subject to conditions.</p>

	<p>NI Water – No objection. NI Water response confirms that until such times as there is available capacity at Belfast Waste Water Treatment and downstream wastewater network its proposed to discharge foul sewage to a cesspool which will be emptied via a tanker as necessary. Public water main available to serve the development.</p> <p>DFI Rivers Agency – No objection subject to a condition.</p> <p>DAERA (NIEA) – Water Management Unit - No objection subject to conditions. <i>Drinking Water Inspectorate</i> – No objection <i>Regulation Unit Land and Groundwater Team</i> – No objection subject to conditions. <i>NED</i> – no objection.</p> <p>Shared Environmental Services – No objection subject to conditions. SES advises that the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects subject to mitigation measure proposed as conditions.</p>
4.3.2	<p>Non-Statutory Consultation Responses</p> <p>Responses from non-statutory consultees are summarised below. Further detail concerning their feedback is provided in the main assessment section of the report, where appropriate.</p> <p>Environmental Health – No objection subject to conditions. BCC Tree Officer – No objection subject to conditions. Economic Development Unit – Recommend that Employability and Skills during both the construction or operational phases of development should not be applied.</p>
4.4	<p>Representations</p> <p>The application has been advertised and neighbours notified. No third party objections have been received.</p>
4.4.1	
5.0	<p>Planning Assessment</p>
5.1	<p>The key issues to be considered in the assessment of this application are:</p> <ul style="list-style-type: none"> • The principle of the proposed use at this location • Impact on the character and appearance of the area • Compatibility with adjacent uses • Access, parking and traffic management • Environmental Considerations – Drainage, Contamination, Noise, Impact on Designated Sites/Natural Heritage Assets <p>An assessment of the above issues is set out below.</p>
5.2	<p>Background</p>
5.2.1	<p>The proposed development was the subject of a PAD process which included input from DFI Roads, BCC Tree Officer and Environmental Health.</p>
5.3	<p>Development Plan Context</p>
5.3.1	<p>Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>

5.3.2	<p>The adoption of the Belfast Metropolitan Area Plan (BMAP) in 2014 was declared unlawful as a result of a judgement in the court of appeal delivered on 18 May 2017. This means that the Belfast Urban Area Plan 2001 (BUAP) provides the statutory plan context for the area.</p>
5.3.3	<p>Draft BMAP 2015 (dBMAP 2015), in its most recent, post-examination form remains a significant material consideration when making planning decisions. It was at the most advanced stage possible prior to adoption. However, in assessing this application regard is also had to the provisions of draft BMAP which was published in 2004 (dBMAP 2004).</p>
5.3.4	<p>In dBMAP 2004 part of the site is identified as a Park and Ride site within the Belfast Metropolitan/Settlement Development Limit. In dBMAP 2015 the site is on unzoned land within the Belfast Metropolitan/Settlement Development Limit. Within the BUAP the site is unzoned land within the development limit of Belfast.</p>
5.3.5	<p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
5.4	<p>Need for the Proposed Development</p>
5.4.1	<p>The Planning Statement accompanying the application states <i>that 'The need for the Kennedy Way Hub building arises as a direct result of the requirement to upgrade the existing Belfast Wastewater Treatment Works, which is a key and strategic outcome of the DFI-led Living With Water Programme (the Belfast Strategic Drainage Infrastructure Plan). The Strategic Drainage Infrastructure Plan demonstrates that the Belfast WWTW needs to be significantly increased in capacity to facilitate economic growth, reduce the risk of flooding and achieve future stringent final effluent discharge consent standards in order to help improve the water quality of Belfast Lough. Without the Belfast WWTW upgrade, none of these objectives can be met.... Recent appraisals undertaken by NI Water have identified that the adjoining NI Water 'Bretland House' facility must be cleared to facilitate the main extension of the Belfast WWTW and Bretland House staff must therefore be relocated in order to facilitate the main Belfast WWTW upgrade works currently scheduled for 2024. The new Kennedy Way Hub building, as proposed in this planning application, will provide replacement facilities for those staff currently based at Bretland House whose relocation needs are not already being planned for through other NI Water projects. The provision of this alternative accommodation will allow Bretland House to be demolished and an Inlet Sewer diverted prior to the main Belfast WWTW works commencing.'</i></p>
5.4.2	<p>The Map below shows the existing Bretland House site (6 acres) adjacent to Belfast Waste Water Treatment Works, Duncrue.</p>



5.4.3

5.4

The need for a replacement facility as a result of relocation of Bretland House to facilitate the upgrade to Belfast Waste Water Treatment Works is a material consideration that supports the case for the proposed development.

5.4.1

Policy Context/Principle of Proposed Uses

5.4.2

The site is located within a primary commercial/industrial/ employment area. The proposal primarily comprises a Class B2 (Light Industrial Use) and Class B4 (Storage and Distribution) uses. Offices are also proposed within the Hub building. The applicant’s team has advised that the function of the office space within the hub building is ancillary to its principal function and its purpose is to provide a supporting role to the main use of the building as an M&E workshop and that it would not be operationally possible to provide the office element in a town centre location with the main industrial use on a separate site elsewhere in the city, because the main industrial use relies on the support provided by the office staff. Officers are satisfied that the proposed office use is ancillary to the primary use of the main Hub building.

5.4.3

Policy PED 1 of PPS 4 – Economic Development in Settlements states that proposals for Class B2 and B4 uses will be permitted in an area specifically allocated for such purposes in a development plan or in an existing industrial / employment area provided it is of a scale, nature and form appropriate to the location. Elsewhere in cities and towns such proposals will be determined on their individual merits. The site is not zoned as an employment /industry area in either versions of draft BMAP or the BUAP. However, it is located adjacent to an existing employment/industry and commercial area. The proposal would support the strategic objectives of NI Water to upgrade the Belfast Waste Water Treatment Works. The proposed development is considered in principle to comply with Policy PED 1 and meet the core principles of the Strategic Planning Policy Statement for Northern Ireland (SPPS) and objectives of the Belfast Agenda.

Policy PED 9 – General Criteria for Economic Development also applies to the proposed development and further assessment of the proposed development is set out below. Policy PED 9 states that ‘a proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria’. Assessment of the criteria is set out below.

- (a) it is compatible with surrounding land uses; *It is considered that the proposal is compatible with the surrounding uses for reasons set out above.*
- (b) it does not harm the amenities of nearby residents; *No residential properties are located in close proximity to the site.*

5.4.4	<p>(c) it does not adversely affect features of the natural or built heritage; <i>NIEA Natural Environment Division (NED) has considered the impacts of the proposal on designated sites and other natural heritage interests and has no concerns subject to condition to ensure the satisfactory implementation of the Invasive Species management Plan. SES advises the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects subject to mitigation measures which are included as recommended conditions.</i> <i>There are no built heritage assets in close proximity to the site. In summary the proposed development is not considered to adversely affect features of the natural or built heritage.</i></p> <p>(d) it is not located in an area at flood risk and will not cause or exacerbate flooding; <i>The site is not located in a floodplain. Rivers Agency has considered the proposal against Policy FLD 1 and considers that it is not applicable to this development and raises no objections.</i></p> <p>(e) it does not create a noise nuisance; <i>Environmental Health has considered the impact of the proposed development and has no concerns relating to noise subject to a condition.</i></p> <p>(f) it is capable of dealing satisfactorily with any emission or effluent; <i>Environmental Health has considered the impact of the proposed development and has no objections relating to air quality/emissions subject to a condition. NI Water has no objections to the proposed development with regard to waste water infrastructure.</i></p> <p>(g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified; <i>DFI Roads has considered the traffic impact of the proposal and has raised no objections subject to conditions.</i></p> <p>(h) adequate access arrangements, parking and manoeuvring areas are provided; <i>DFI Roads has considered the proposed access, parking and manoeuvring arrangements and has raised no objection subject to conditions.</i></p> <p>(i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport; <i>The access arrangements proposed include two access points and operation of a one way system for lorries and vans. The site is located close to Kennedy Way and a regular bus service is available in close proximity to the site. The development supports a range of modes of transport and is considered to meet the needs of those with impaired mobility and is convenient to public transport route.</i></p> <p>(j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity; <i>The site layout and building design are considered to be of an appropriate design quality. Photovoltaic (solar) panels are proposed on the roof which will promote sustainability. Landscaping proposals are proposed which will promote biodiversity in the area and serve to improve the character and appearance of the area.</i></p> <p>(k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view; <i>Security fencing (2.4m high paladin fencing) around the perimeter of the site is proposed and will provide an appropriate means of enclosure. Existing birch trees along the Blackstaff Road boundary will be retained along with new planting proposed within the site will provide an adequate degree of screening of storage areas.</i></p> <p>(l) is designed to deter crime and promote personal safety; <i>Perimeter fencing and gates at the access points entrance and exit to the site will secure the site and act as deterrent against crime. Car parking and access to the building/office is segregated from lorry loading/parking bays which will serve to promote personal safety for users.</i></p> <p>(m) in the case of proposals in the countryside, there are satisfactory measures to assist integration into the landscape. <i>Not applicable.</i></p>
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5.5

The scale, nature and form of the development is considered appropriate to the location and compatible with surrounding uses. The proposal is considered to satisfy the criteria set out in Policy PED 1 and PED 9.

5.5.1

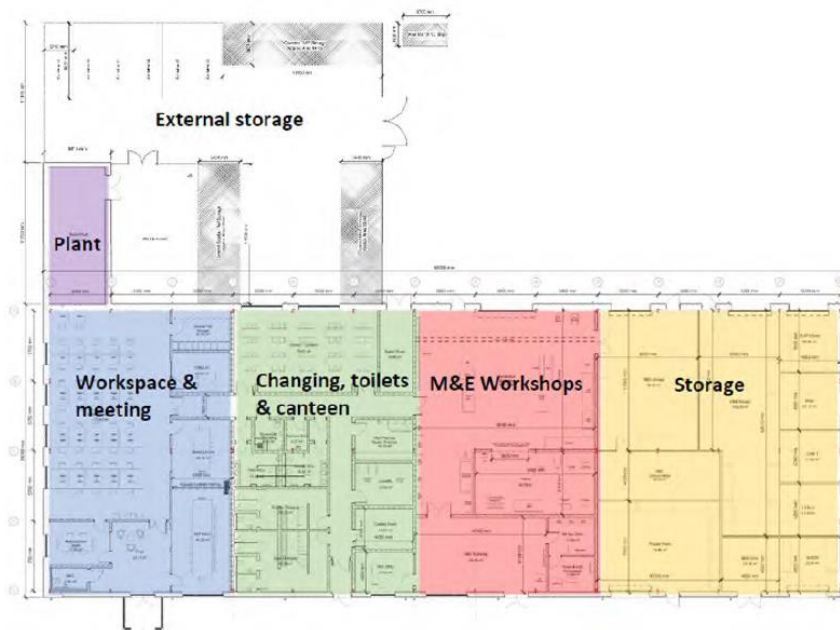
Scale, Design, Layout

The proposed development comprises three buildings as set out below:-

- Hub – this is the main building accommodating mechanical and electrical (M&E) workshops, stores, welfare and administrative support;
- The Alternative Water Supply Store (AWS) - stores water containers and bottles of drinking water deployed to the community in the event drinking water main supply is interrupted; and
- Generator Store – This building stores mobile electrical generators used during water operations within the Belfast area and beyond.

5.5.2

The hub building is the main operational building proposed and comprises of three types of accommodation (as set out in the plan below) for mechanical and electrical workshops, workspace and meeting space, storage and changing facilities, toilets and canteen along with plant. The height of the Hub building varies across its length. The lowest part is 6.5 m rising to 8.8m. The M&E workshops are accessed from the eastern (rear) elevation whilst the ancillary offices are accessed from the western elevation thereby providing segregated safer entrances.



5.5.3

The Planning Statement states that 'around 100 operational and maintenance staff will need to be assigned to a new hub location arising from the requirement to demolish Bretland House and that the Hub building will incorporate a management control centre and a major incident emergency control centre. It will also have welfare facilities and include a canteen, showers and laundry areas'. The Planning Statement further states that 'It is operationally essential that the Hub management staff and operatives are accommodated at their operational base – the proposed new Kennedy Way Hub. Its proximity to the M1 motorway, makes it an ideal route access for the Hub's staff vehicles. In the event of any major incident, its Major Incident Centre (Bronze Command) within the Hub building can be quickly activated with management control staff directing operations and with the ability to deploy staff and plant to site as rapidly as possible.'

5.5.4

5.5.5	<p>The Alternative Water Supply building will be used for the storage of emergency bottled water (a minimum of 200 pallets) and a water tanker fast fill station. In addition, there will also be a large portable generator shed complete with a specialist ventilation system for generator testing. Portable generators stored at the Hub can be quickly moved to a remote site as necessary for use by operational staff. All of the proposed facilities will be provided in a secure protected site. The Kennedy Way Hub will be a working depot for maintenance of water and wastewater infrastructure throughout Belfast and areas beyond and the proposed business hours are 24/7.</p>
5.5.6	<p>The design of the Hub, Alternative Water and Generator Stores reflect typical warehouse type accommodation. All three buildings are of similar scale and appearance to industrial buildings in the surrounding area and are long span portal framed buildings with composite cladding. Walls are proposed to be finished in grey cladding and blue/grey brick. Windows are proposed to be finished in grey aluminium frames, roof to be finished in grey cladding and doors in grey steel, grey roller shutter goods doors and glazed aluminium entrance doors.</p>
5.7	<p>The height, scale, massing, design, layout and materials of the proposed development are acceptable and compatible with the surrounding context and comply with the SPPS and PPS4.</p>
5.7.1	<p>Impact on the character and appearance of the area</p>
5.7.2	<p>The site is located in a predominantly commercial/industrial/employment area. Belfast City Council Civic Amenity Site is located to the immediate north along with existing industrial/employment units. The Westwood Shopping Centre is located to the west. Lands abutting the site to the south and southeast are owned by NI Water and form part of the former Waste Water Treatment Works. The M1 motorway runs along the eastern boundary of the site. The nearest existing residential property is located approximately 115 to the south at Stockmans Crescent. The Traffic impact has been considered by DFI Roads who raise no objection. Environmental Health has considered amenity impacts and are content that no adverse impact by way of noise, odour air quality would arise from the development. Japanese knotweed and Himalayan Balsam were identified as being present on the site and the applicant has submitted an Invasive Species Management Plan (ISMP) which sets out steps to control and manage the species to facilitate the proposed development. Measures have been implemented to eradicate the species and this process is ongoing. The (ISMP) has been reviewed by NIEA Natural Environment Division who raise no objection and recommend a condition ensuring that the development adheres to the ISMP.</p>
5.8	<p>It is considered that the proposed development will not give rise to adverse impacts and is compatible with the surrounding area and complies with the SPPS.</p>
5.8.1	<p>Access Parking and Traffic Management</p>
5.8.2	<p>Two access points to the site are proposed from the Blackstaff Road and a one-way access route for lorries and vans is proposed through the site segregating lorries and vans from cars/staff traffic. Parking for 64 cars/vans and 11 HGV lorries is proposed and includes 6 electrical charging points. A sheltered cycle store and providing parking for bicycles is also proposed on site.</p>
5.9	<p>DFI Roads has no objections to the proposed development subject to conditions which are set out below. The proposal is considered to comply with the SPPS and PPS 3.</p>

	<p>Environmental Considerations</p>
5.9.1	<p>Drainage The application is supported by a Flood Risk Assessment and Drainage Assessment. The proposal has been considered against policies FLD 1-5 of Revised PPS15. DFI Rivers have raised no objections under Policies FLD 1, 2, 3, 4 and 5 subject to a condition seeking the submission of a final drainage plan prior to construction.</p>
5.9.2	<p>NI Water has no objection to the proposed development and advises that although Belfast WWTW and catchment are both operating at capacity this proposal can be approved on the basis of no additional loading. It is proposed to discharge foul sewage to a cesspool which will be emptied by a tanker as necessary. This arrangement will be in place until such times as there is capacity at both the WWTW and wastewater network. NI Water advise that there is a public water main within 20m of the proposed development boundary which can adequately service these proposals.</p>
5.9.3	<p>Contamination The application is supported by a Land Contamination Assessment which has been considered by both DAERA, NIEA and Environmental Health. Neither have raised objections and both have provided conditions/informatives if permission is granted.</p>
5.9.4	<p>Noise The application is supported by a Noise Impact Assessment which has been considered by Environmental Health who has provided a condition should permission be granted.</p>
5.9.5	<p>Air Quality The application is supported by an Air Quality Impact Assessment which has been considered by Environmental Health which has no objection subject to a condition as set out below.</p>
5.9.6	<p>Odour The application is supported by an Odour Impact Assessment which has been considered by Environmental Health who has no objection.</p>
5.10	<p>Impact on Designated Sites/Natural Heritage Assets</p>
5.10.1	<p>The proposed development is located adjacent to an unnamed watercourse that connects to the features in Belfast Lough via the Turf Lodge Stream and Lagan System and therefore there is potential that the development could impact on a number of designated sites.</p>
5.10.2	<p>In accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc.) (Northern Ireland) 1995 (as amended) Shared Environmental Services (SES) on behalf of the Council has carried out an appropriate assessment and having considered the nature, scale, timing, duration and location of the project, SES advises that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including mitigation measures. This conclusion is subject to mitigation measures being conditioned in any approval which require the development to be carried out in accordance with the drainage plan submitted and the requirement for at least a 10m buffer between the location of any refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and any watercourse or drains present onsite or adjacent to the site. SES considers that adherence to these conditions will negate any potential pollution issues at both construction and operational phases</p>

5.10.3	<p>from affecting connected European Site features. Both conditions are set out in full below.</p> <p>Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 01/02/2023. This found that the project would not have an adverse effect on the integrity of any European site.</p>
5.11	<p>Pre-Application Community Consultation</p>
5.11.1	<p>In accordance with the requirements of Section 27 of the Planning Act (NI) 2011, the applicant served a Proposal of Application Notice (PAN) on Belfast City Council on 25th March 2022 (LA04/2022/0668/PAN). Belfast City Council responded confirming that the PAN and associated approach met the requirements of Section 27 of the Planning Act and was acceptable subject to additional consultation with the MP for West Belfast. A digital public consultation event via a dedicated NI Water website was proposed between 02 and 20 May 2022.</p>
5.11.2	<p>A Pre-Application Community Consultation Report has been produced to comply with the statutory requirement laid out in Section 28 of the Planning Act (Northern Ireland) 2011. The purpose of a PACC report is to confirm that pre-application community consultation has taken place in line with statutory minimum requirements. The report has confirmed advertising for the public event and that the public event (digital public consultation event) took place in accordance with section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015. The report also confirmed that a leaflet was distributed to neighbouring properties. The report states that feedback was limited to one response which raised issues regarding additional traffic on Blackstaff Road.</p>
5.11.3	<p>The applicant's responded to the issue raised by advising that the application is accompanied by a Transport Assessment Form (TAF) that considers the impact of the development on traffic congestion and road safety which concludes that <i>"the low number of vehicles generated by the proposed development will have a minimal transport impact during AM and PM peak periods"</i>. The response advises that the TAF was also submitted in draft to DFI Roads via the PAD process, who raised no objection to the draft development proposal.</p>
5.11.2	<p>The Pre-Community Consultation Report submitted satisfactorily demonstrates that the applicant has complied with the requirements of Sections 27 and 28 of the Planning Act (NI) 2011 and Section 5 of The Planning (Development Management) Regulations (Northern Ireland) 2015 and has adhered to Council recommendations during the PAN process. The PACC report is considered acceptable.</p>
<p>Neighbour Notification Checked Yes</p>	
<p>Summary of Recommendation: Having regard to the development plan, relevant policy context and other material considerations, the proposed development is considered acceptable and it is recommended that full planning permission is granted subject to conditions.</p>	

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal any other issues which might arise.

Draft Conditions:

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

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

2. All landscaping works shall be carried out in accordance with the approved details on Drawing No. 16C – Planting Plan. 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 proposed trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

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

Reason: In the interests of visual amenity.

4. Prior to commencement all tree protective measures, protective barriers (fencing) and ground protection shall be erected or installed in accordance with the British Standard 5837: 2012 (section 6.2) on any trees 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.

5. If roots are accidentally damaged the Council must be immediately notified in writing and given the opportunity to inspect the damage before it is covered over. The roots must be wrapped in wet hessian wrap until the arrival of an arborist or Council tree officers. Remedial works to roots/trees shall be submitted to and agreed in writing by the Council. The development shall not proceed unless in accordance with the approved details.

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

6. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices, service runs / cables or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA of existing trees to be retained.

7. The Kennedy Way Hub Tree Survey Report [Arboricultural Method Statement and Plan] by M. Large Tree Services dated 16 Sept 2022 submitted in support of the application shall be adhered to in full during the construction process.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees.

8. No development shall commence (other than site clearance, enabling works or works to fulfil this condition) until a Detailed Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy shall consider the MCL Consulting Ltd report entitled 'Project Number: P2565_2_Issue 4, Phase 3 Remediation Strategy, Kennedy Way, Belfast, Client: McAdam Design, Issued: January 2023'. The Remediation Strategy shall follow best practice and must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified. The development shall not be carried out unless in accordance with the approved Remediation Strategy.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

9. Prior to operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

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

10. If during the carrying out of the development, or through the completion of any updated risk assessment for the proposal, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use. The development shall be carried out in accordance with the approved details.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health and for the protection of environmental receptors to ensure the site is suitable for use.

11. Prior to operation of the development, alternative means of mechanical ventilation that is suitably acoustically attenuated shall be installed to the hub building in accordance with section 4.1.1 of the RPS Group report entitled '*Noise Impact Assessment, NI 2588 Kennedy Way Belfast*', referenced NI 2588, dated June 2022.

Reason: Protection of amenity.

12. In the event that any substantial centralised combustion sources (boilers, CHP, biomass or generators) are proposed and there is a risk of impact at relevant receptor locations as per

the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment shall be submitted to and approved in writing by the Council prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems and must demonstrate that there will be no exceedances of the Air Quality Strategy objectives at relevant human receptor locations, associated with operation of the proposed combustion plant and with the overall development. The development shall be carried out in accordance with the approved details.

Reason: Protection of human health against adverse air quality impact.

13. The dust management measures, as detailed within Appendix D (*Dust Management Plan*) of the *RPS Group Report entitled 'Air Quality Impact Assessment, Partial Redevelopment of Former NI Water Operational Land at Blackstaff Road/Kennedy Way, referenced NI 2588, dated July 2022* shall be implemented throughout the duration of the construction phase of the development.

Reason: Protection against adverse air quality impacts.

14. A suitable buffer of at least 10m must be maintained between the location of any refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil etc. and any watercourse or drains present onsite or adjacent to the site.

Reason: To protect the features of European Sites indirectly hydrologically connected in Belfast Lough from adverse effects.

15. The drainage for the site shall be constructed in accordance with the approved drainage plan on drawing No. 17D – Proposed Drainage Layout (BRA-MCA-ST1-00-DR-CP-2000 Rev P6).

Reason: To protect the features of European Sites indirectly hydrologically connected in Belfast Lough from adverse effects.

16. Prior to the construction of the drainage network, a final drainage assessment, compliant with FLD 3 and Annex D of PPS 15, shall be submitted to and agreed in writing by the Council. The Final Drainage Assessment shall demonstrate the safe management of any out of sewer flooding emanating from the surface water drainage network, agreed under Article 161, in a 1 in 100 year event. The development shall not be carried out unless in accordance with the approved details.

Reason – In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

17. No development shall commence until the applicant has submitted evidence in writing to the Council for its agreement demonstrating that the risks to groundwater and other environmental receptors due to on-site contamination of the ground and groundwater have been effectively assessed. This evidence should include but not be limited to:
- Groundwater quality monitoring data and a detailed quantitative risk assessment to investigate the risks to groundwater from hydrocarbon contamination identified at the site (WS01),
 - If unacceptable risks to groundwater are identified provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to receptors. The remedial

criteria are required to be derived through quantitative risk assessment based on the conceptual site model.

If unacceptable risks to receptors are identified a remediation strategy will be required to address those risks.

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

18. The development hereby permitted shall not commence until a detailed remediation strategy to address all unacceptable risks to environmental receptors identified from Condition 17. This strategy must be submitted to and agreed in writing by the Council and should identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).

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

19. The development hereby permitted shall not be occupied until the remediation measures as described in the remediation strategy submitted under Condition 17 have been implemented to the satisfaction of the Council. The Council must be given at least 2 weeks written notification prior to the commencement of remediation work.

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

20. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:

<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

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

21. The applicant must adhere to the agreed Invasive Species Management Plan (ISMP) for this site and Waste Transfer Notes must be retained where they are required.

Reason: To control and reduce the spread of non-native species.

22. The development shall not become operational until the weather protected cycle parking has been 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.

23. The development shall not become operational until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

24. Pedestrian crossing points including tactile paving shall be provided at all road junctions in accordance with the DETR / Scottish Office publication "Guidance on the use of Tactile Paving Surfaces".

Reason: In the interests of pedestrian safety.

25. The visibility splays, shall be provided in accordance with Drawing Nos. 14C and 26B, prior to the operation of any other works or other development hereby permitted.

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

26. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted becomes operational and such splays shall be retained and kept clear thereafter.

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

Notification to Department (if relevant) - Not Required

Date of Notification to Department:

Response of Department:

Representations from Elected Members:- None

ANNEX	
Date Valid	9th August 2022
Date First Advertised	26th August 2022
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 1,6a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 11 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, 14a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 16a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 19 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 19a ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 1c ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 2 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 3 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, 3,3 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 4,4-5 ,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 45 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 47 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 5 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, 5 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 5-8a Dc Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 6 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 6,5 Kennedy Way,Belfast,Antrim,BT11 9AP The Owner/Occupier, 7 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, 9 Blackstaff Road,Belfast,Antrim,BT11 9DT The Owner/Occupier, Blackstaff Recycling Centre (Belfast CC), Blackstaff Way, Belfast BT11 9BQ The Owner/Occupier, Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT The Owner/Occupier, Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT The Owner/Occupier, Ess,Blackstaff Way,Ballymurphy,Antrim, The Owner/Occupier, Factory 10,Blackstaff Way,Ballymurphy,Belfast,Antrim,BT11 9DT The Owner/Occupier, Factory 7,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT The Owner/Occupier, Former Kennedy Enterprise Centre, 2 Blackstaff Road, Belfast, Antrim,BT11 9DT</p>	

The Owner/Occupier, olly Business Park,Blackstaff Way, Ballymurphy, Belfast, Antrim, BT11 9DS

The Owner/Occupier, Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Office,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, R ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 1,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 1-2,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 10,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 10,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 10,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 11 ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9BL

The Owner/Occupier, Unit 11,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 11,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 12,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 12,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 14,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 14,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 14,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 15,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 15a,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 16,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 16,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 16/17/18,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 17,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 17,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 17-18,Westwood Shopping Centre,Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 18,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 18,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 19,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 19a,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 19b,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 1a,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 2,3 Blackstaff Way,Ballymurphy,Belfast,Antrim,BT11 9DT

The Owner/Occupier, Unit 2,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 2,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 20,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 20,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 21,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 21,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 22,5 Kennedy Way,Belfast,Antrim,BT11 9BQ

The Owner/Occupier, Unit 22,D C Enterprise Centre,Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 22,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 23,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 24,5 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 24,Kennedy Enterprise Centre,2 Blackstaff Road, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 24,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 25,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 26,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 27,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 28,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 29,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim,BT11 9BQ

The Owner/Occupier, Unit 3,Kennedy Enterprise Centre,2 Blackstaff Road, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 3,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 3,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim,BT11 9BQ

The Owner/Occupier, Unit 3,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

The Owner/Occupier, Unit 39,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT

The Owner/Occupier, Unit 4,48 Kennedy Way,Belfast,Antrim,BT11 9AP

The Owner/Occupier, Unit 4,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 4,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 4-5,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 4-5,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 5 ,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT
The Owner/Occupier, Unit 5,5 Kennedy Way,Belfast,Antrim,BT11 9BQ
The Owner/Occupier, Unit 5,Blackstaff Road,Belfast,Antrim,BT11 9DT
The Owner/Occupier, Unit 5,Kennedy Enterprise Centre,2 Blackstaff Road, Belfast, Antrim, BT11 9DT
The Owner/Occupier, Unit 5,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 5/6,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 6,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT
The Owner/Occupier, Unit 6,48 Kennedy Way,Belfast,Antrim,BT11 9AP
The Owner/Occupier, Unit 6,5 Kennedy Way,Belfast,Antrim,BT11 9BQ
The Owner/Occupier, Unit 6,Westwood Retail Park,51 Kennedy Way,Belfast,Antrim,
The Owner/Occupier, Unit 6,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 6,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 6/7,D C Silencers Complex,Kennedy Way, Belfast, Antrim, BT11 9AP
The Owner/Occupier, Unit 7,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT
The Owner/Occupier, Unit 7,48 Kennedy Way,Belfast,Antrim,BT11 9AP
The Owner/Occupier, Unit 7,5 Kennedy Way,Belfast,Antrim,BT11 9AP
The Owner/Occupier, Unit 7,D C Silencers Complex,Kennedy Way,Belfast,Antrim,BT11 9AP
The Owner/Occupier, Unit 7,Westwood Retail Park,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
The Owner/Occupier, Unit 7,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ
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The Owner/Occupier, Unit 7b,2 Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim, BT11 9DT
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The Owner/Occupier, Unit 8,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ

<p>The Owner/Occupier, Unit 8,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ</p> <p>The Owner/Occupier, Unit 9,Westwood Shopping Centre,51 Kennedy Way, Belfast, Antrim, BT11 9BQ</p> <p>The Owner/Occupier, West Belfast Enterprise Centre,Blackstaff Road,Kennedy Way Industrial Estate, Belfast, Antrim,BT11 9DT</p> <p>The Owner/Occupier, Westwood Shopping Centre,Kennedy Way,Belfast,Antrim,BT11 9BQ</p>	
Date of Last Neighbour Notification	31st August 2022
Date of EIA Determination	30th August 2022
ES Requested	No
Drawing Numbers and Title	
<p>01 – Site Location Plan</p> <p>03C – Proposed Site Layout Plan</p> <p>04C – Proposed layout Levels</p> <p>05 – Proposed AWS Ground Floor and Roof Plan</p> <p>06 – Proposed AWS Elevations and Sections</p> <p>07 – Proposed Generator Store Ground Floor and Roof Plan</p> <p>08 – Proposed Generator Store Elevations and Sections</p> <p>09 – Proposed Hub Ground Floor Plan</p> <p>10 – Proposed Hub Roof Plan</p> <p>11 – Proposed Hub Elevations</p> <p>12 – Proposed Hub Sections</p> <p>13 – Proposed Site Sections</p> <p>14C – Proposed Visibility Splays – Secondary Access</p> <p>15C – Proposed Visibility Splays</p> <p>16C – Planting Plan</p> <p>17D – Proposed Drainage Layout</p> <p>18C – Proposed Layout fencing</p> <p>19C – Proposed Layout Kerbs</p> <p>20C – Proposed Layout Surfacing</p> <p>21 – Pavement Construction Details</p> <p>22 – Ground Mounted PV Cells</p> <p>23 – Above Ground Bunded Fuel Tank</p> <p>24 – Cycle Shelter Stands</p> <p>25B- Tree Root Protection Zones</p> <p>26B – Proposed Whitelining Plan</p>	

Committee Report

Development Management Report	
Application ID: LA04/2022/1861/F LA04/2022/1867/DCA LA04/2022/1860/A	Date of Committee: 18 th April 2023
Proposal: Replacement facade to active facade to facilitate the display of internally illuminated moving images.	Location: 1-3 Arthur Street Belfast BT1 4GA
Referral Route: Referral to the Planning Committee under section 3.8.1 of the Scheme of Delegation (request from Elected Member)	
Recommendation: Refusal	
Applicant Name and Address: Alterity Investments Limited 4 Annadale Avenue BT7 3JH	Agent Name and Address: Pragma Planning Scottish Provident Building 7 Donegall Square West Belfast BT1 6JH
Executive Summary: This report relates to three separate, but related applications described as follows. LA04/2022/1861/F: application for planning permission for replacement facade to active facade to facilitate the display of internally illuminated moving images (temporary permission for 5 years). LA04/2022/1860/A: application for Advertisement Consent for active façade to facilitate the display of LED internally illuminated moving images (temporary consent for 5 years). LA04/2022/1867/DCA: application for Conservation Area Consent for part demolition of façade to facilitate replacement façade. The key issues are: <ul style="list-style-type: none"> • Impact on the character and appearance of the City Centre Conservation Area • Impact on the setting of Listed Buildings • Suitability of the demolition • Impact on amenity • Impact on public safety The site is located at Nos. 1-3 Arthur Street. It is within the City Centre Conservation Area. Of the buildings which face onto Arthur Square, the host building is the only building that is not listed. The Conservation Officer and DfC Historic Environment Division were consulted and both object to the proposal in that the proposal would neither preserve or enhance the Conservation Area and would provide a competing focus to the surrounding listed buildings, to the detriment of their setting. It is recommended that the permission and consents are refused for these reasons. No objections were received from third parties.	

The applications are brought before the Committee under paragraph 3.8.1 of the Scheme of Delegation at the request of Councillor Dorrian. The planning grounds for the request to refer the application to the Planning Committee are:

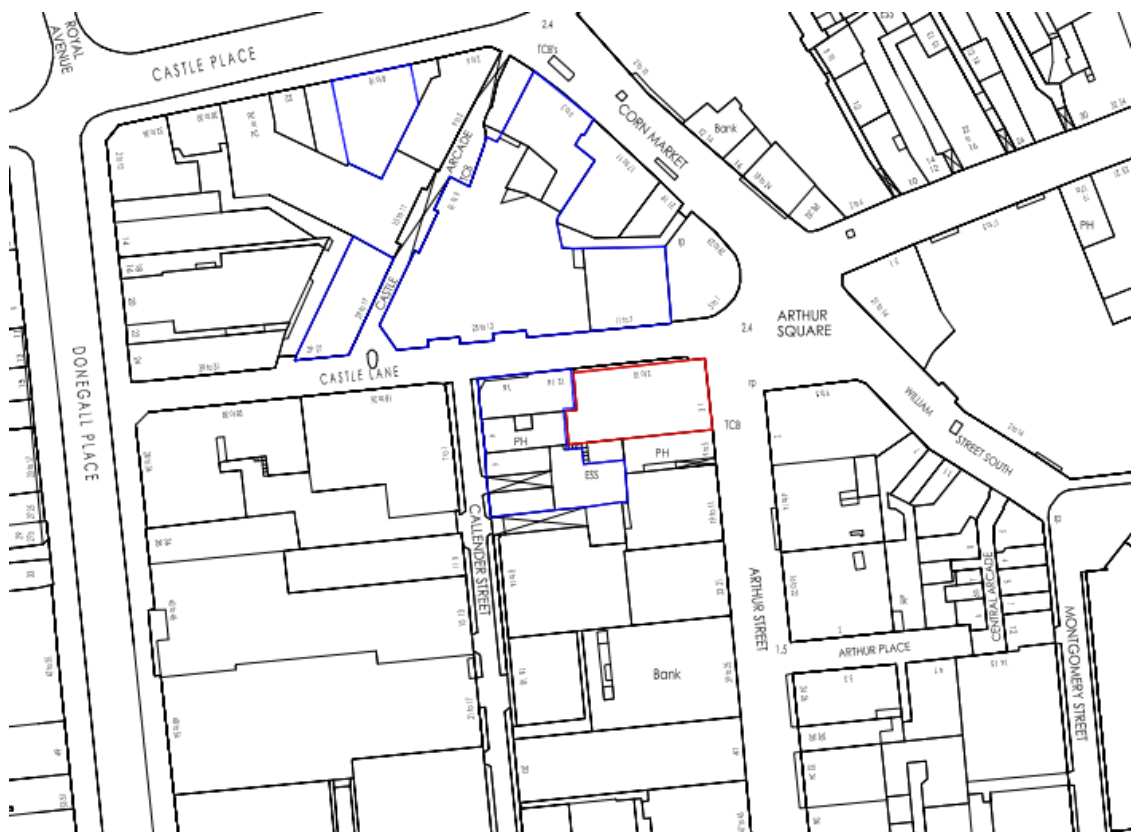
- Need for traditional and modern infrastructure to co-exist with the historic environment;
- Impact on the setting of the listed buildings should be considered acceptable given the precedents already established in the city, e.g. Shaftesbury Square and the advertising sign next to the orange hall on the Albertbridge Road.

Recommendation

It is recommended that permission and consents are refused with delegated authority given to the Director of Planning and Building Control to finalise the wording of the refusal reasons.

Case Officer Report

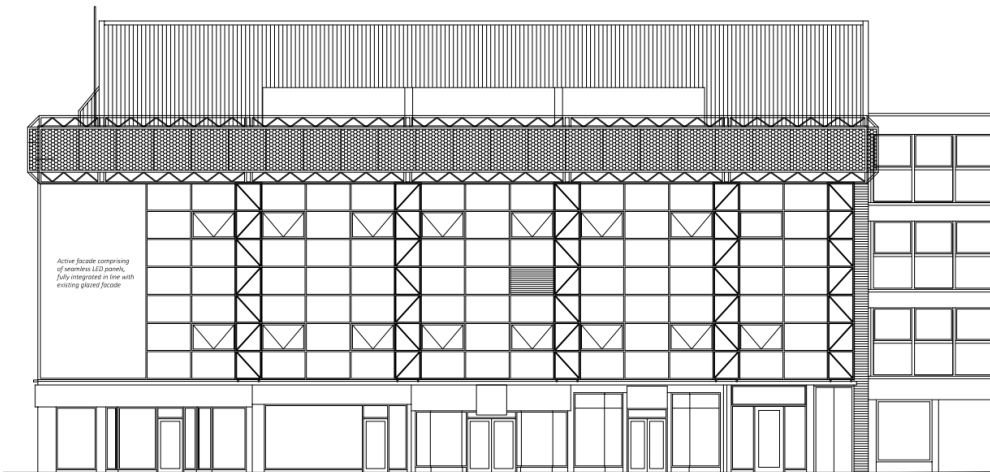
Site Location Plan



Proposed Elevations



Proposed Elevations



Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>This report relates to three separate, but related applications described as follows.</p> <p>LA04/2022/1861/F: application for planning permission for replacement facade to active facade to facilitate the display of internally illuminated moving images (temporary permission for 5 years).</p> <p>LA04/2022/1860/A: application for Advertisement Consent for active façade to facilitate the display of LED internally illuminated moving images (temporary consent for 5 years).</p> <p>LA04/2022/1867/DCA: application for Conservation Area Consent for part demolition of façade to facilitate replacement façade.</p>
2.0	<p>Description of Site</p> <p>The site is located at Nos. 1-3 Arthur Street. The building is located in a prominent location fronting onto Arthur Square which is a pedestrianised area forming the junction of five streets. The square contains a centrepiece of modern art and the site is a prominent building between Arthur Street and Castle Lane. The building itself is a 3 storey non-historic glass curtain wall building.</p> <p>The proposal is located within the City Centre Conservation Area and of the buildings which face onto Arthur Square, the host building is the only building to not be listed.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p>LA04/2016/1284/F, Proposed relocated electronic big screen, to replace existing screen (currently at roof level) and reposition it at 1st floor level on Arthur Street facade. PERMISSION REFUSED. 07.09.2016.</p> <p>LA04/2016/0223/A, Proposed advertising screen 5 x 3m, PERMISSION REFUSED, 07.09.2016.</p>
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	<p>Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014)</p> <p>Following the Court of Appeal decision on BMAP, the extant development plan is the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. It is considered that significant weight should be afforded to the latest version of Draft BMAP (v2014) given its advanced stage in the Development Plan process, save for retail policies relating to Sprucefield, which remain contentious.</p>
4.3	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The LDP Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council</p>

	has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 6: Planning, Archaeology and The Built Heritage
4.6	Planning Policy Statement 17: Outdoor Advertisements
5.0	Statutory Consultees Responses DfC Historic Environment Division – objection (see main report)
6.0	Non Statutory Consultees Responses Conservation Officer – objection (see main report)
7.0	Representations The full application was advertised on the 21 st October 2022 and neighbour notified on 12 October 2022. The demolition consent was advertised on the 21 st October 2022. No publicity is required for applications for Advertisement Consent. No representations have been received from third parties.
8.0	Other Material Considerations Belfast City Centre Conservation Area Guide
9.0	Assessment
9.1	The proposal is considered to be contrary to the development plan.
9.2	Assessment The key issues to be considered are: <ul style="list-style-type: none"> • Impact on the character and appearance of the City Centre Conservation Area • Impact on the setting of Listed Buildings • Suitability of the demolition • Impact on amenity • Impact on public safety
9.3	Impact on the character and appearance of the City Centre Conservation Area With regards to development in Conservation Areas, Section 104(11) of the Planning Act (Northern Ireland) 2011 states that special regard must be had to the desirability of; <ol style="list-style-type: none"> (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise
9.4	In relation to the application for full planning permission, paragraph 6.18 of the SPPS states that: <i>'In managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or</i>

	<p><i>conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.'</i></p>
9.5	<p>Policy BH 12 of PPS 6 provides criteria for assessing proposals for new development in a Conservation Area.</p>
9.6	<p>The proposal contains essentially two active, digital advertisements measuring 3.84m x 7.46m on the east and north façades of the host building.</p>
9.7	<p>The proposed active façade would be located in a very prominent location within the Conservation Area facing onto Arthur Square. As described within the Conservation Area Guide: <i>'Arthur Square provides a central node to the pedestrian environment, and is contained by a variety of different styled buildings of architectural quality.'</i></p>
9.8	<p>The scale of the proposal is considered excessive and would neither preserve or enhance the character and appearance of the area. The active facade/advertisement would not be of a scale that is not in sympathy with the characteristic built form of the area, neither do the scale, form, materials and detailing of the proposal respect the characteristics of the listed adjoining buildings in the area. The active, digital nature of the proposal would accentuate its impact. It is considered that the scale of the façade/advertisement would fail to protect important views into/out of the Conservation Area. The proposal would be prominent and dominating when viewed from Arthur Square, negatively impacting an important node within the Conservation Area as well as detracting from neighbouring listed buildings.</p>
9.9	<p>The host building itself forms one side of Arthur Square and while the building itself is non-historic and of limited architectural value the scale of the advert itself would dominate views of the building and surrounding area. The proposal would be viewable on the approach to Arthur Square, most notably on the approach from Ann Street from which the building visually terminates the vista. Obscure views of the proposal would be from Castle Lane and Arthur Street and, although less direct, would still place an emphasis onto an unsympathetic façade and advertisement.</p>
9.10	<p>Paragraph 7.15 of PPS 6 states that signage on upper floors or buildings and the internal illumination of signs will not normally be acceptable. Similarly, the <i>Belfast City Centre Conservation Area Design Guide</i> states that only in exceptional circumstances where they are essential to the use of the upper floor, will advertising signs be permitted above ground floor fascia level. Furthermore, the Design Guide states that advertising panels have a particularly detrimental effect on visual character and only in exceptional circumstances will they be permitted. The proposal occupies the first to second storey of the building contrary to the Design Guide and would not relate to the building itself.</p>
9.11	<p>The Conservation Officer was consulted and objects to the proposal stating that the proposed sign would have a harmful effect on the character and appearance and visual amenity of the Conservation area. Such signage is not historic / traditional to the Conservation Area. Furthermore, the Conservation Officer states that the proposal would have the visual appearance of a large sheet/advertising hoarding attached to the building and occupying a substantial proportion of the façade.</p>
9.12	<p>It is considered that the proposal fails to accord with Section 104(11) of the Planning Act (Northern Ireland) 2011, paragraph 6.18 of the SPPS and Policy BH 12 of PPS 6 in that</p>

	<p>the proposal does not preserve or enhance the character and appearance of the Conservation Area.</p> <p>Impact on the setting of Listed Buildings</p>
9.13	<p>Section 91 (2) of the Planning Act (Northern Ireland) 2011 states that ‘the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’</p>
9.14	<p>Paragraph 6.12 of the SPPS states Listed Buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements and the countryside. It is important therefore that development proposals impacting upon such buildings and their settings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses.</p>
9.15	<p>Policy BH 11 of PPS 6 provides criteria for assessing proposals that affect the setting of a Listed Building.</p>
9.16	<p>The proposal faces onto Arthur Square which contains the following Listed Buildings:</p> <ul style="list-style-type: none"> • HB26/50/039 - Masonic Building 13-14 Arthur Square Belfast County Antrim BT1 4FF – Grade B+ • HB26/50/096 - Mayfair Building Arthur Square Belfast County Antrim BT1 4FE – Grade B1 • HB26/50/178 - Arthur Chambers 4-14 Arthur Street Belfast Co Antrim BT1 4GD – Grade B2 • HB 26/50/304 - 1- 5 Castle Lane & 23-29 Cornmarket Belfast Co Antrim BT1 4FB – Grade B2
9.17	<p>DfC Historic Environment Division has been consulted and objects to the proposal, stating that the illuminated and moving signage would create a competing focus to the listed buildings which form the attractive historic perimeter of Arthur Square.</p>
9.18	<p>Having regard to HED's advice, officers advise that the proposal fails to respect the surrounding listed buildings by reason of its location, scale and design. The scale of the proposal would detract from setting of the listed buildings by dominating Arthur Square and detracting from views of the surrounding listed buildings. The host building appears pinched between two listed buildings when viewed from Ann Street, William Street South and Castle Lane. The proposal would bring undue prominence to the building which is of less architectural merit than those surrounding and will detract from the adjacent listed buildings. The proposal is of a modern and untraditional design with internal illumination and would dominate the surrounding listed buildings. The nature of the use of an advertisement on the façade fails to respect the character of the setting of the listed buildings which do not contain advertisements on the upper floors. The proposal is considered to fail to accord with the Strategic Planning Policy Statement and Policy BH 11 of PPS 6 and is unacceptable.</p>
	<p>Other considerations</p>
9.19	<p>The applicant has submitted supporting documents including a Planning Summary, Conservation Impact Assessment and a letter responding to the consultation responses from DfC HED and the Conservation Officer.</p>
9.20	<p>It is noted that the proposal is for temporary permission for a period of 5 years. As per the Planning Summary this is to allow an assessment of the benefits and actual impact. However, officers advise that the impacts of the proposal on the Conservation Area and</p>

	<p>setting of nearby Listed Buildings would be obvious and harmful and do not need to be tested. The proposal fails the legislative requirements and relevant planning policies by failing to preserve the character or appearance of the Conservation Area and harming the setting of surrounding listed buildings, it is therefore not necessary for temporary approval to be granted to test the impact the proposal will have.</p>
9.21	<p>The applicant proposes through a Section 76 planning agreement that a proportion of airtime would be made available to Belfast City Council as well as providing interpretative information on the Conservation Area and listed buildings to mitigate any conflict created by the screen with these buildings. However, officers advise that the content of the advertising screen would not mitigate the impact of the screen itself, which would remain harmful to the historic environment. Providing content and information on the Conservation Area and listed buildings would in itself attract attention to the advertising screen impacting the listed buildings which should remain the main focus.</p>
9.22	<p>The Planning Summary refers to previous refusals on the site and states that they are not comparable to a temporary application nor to this application which is to incorporate the screen into the façade of the building. The application LA04/2016/0223/A was for an advertisement screen on the upper floors of the building, while not incorporated into the façade the policy considerations remains similar to this application. The current proposal is for a larger scale screen on two facades of the building and would have an even greater harmful impact. The Planning Statement also refers to planning application LA04/2020/0558/A for an advertising screen at 112 Ann Street. However, the application is not comparable to this proposal as it is not within a Conservation Area and is not surrounded by listed buildings to the extent of this proposal.</p>
9.23	<p>A Conservation Impact Assessment has been submitted and has been addressed by the Conservation Officer. The Conservation Officer agrees with the visibility analysis but considers that the proposed signage would be visually obtrusive in a key civic set piece with high pedestrian footfall, drawing the eye from listed heritage assets. The Conservation Officer disagrees with the analysis at paragraph 7.09.1 in that the LED active façade element would introduce a more visually diverse element between two listed structures. The opinion of the Conservation Officer is that visual prominence/ perceptual significance should remain with the heritage assets and non-historic elements not given emphasis. The Conservation Officer disagrees with the commentary on 1-5 Castle Lane/ 1-3 Arthur Lane in that the proposal would cause visual competition and with the assessment at paragraph 7.09.2 as the proposal frames a vista along Castle Lane terminated by the Masonic Building from which the proposed signage would set up visual competition. In relation to paragraph 7.10, the Conservation Officer considers the proposal to be detrimental to the setting of a number of listed buildings and the appreciation/ perception/ experience of the place as an historic node.</p>
9.24	<p>A letter from the applicant with a response to the consultees was submitted on the 14th February 2023. The applicant refers to the airtime to be provided to the Council to highlight the surrounding listed buildings. As previously stated, this by its nature will attract attention to the advertising screen rather than the listed buildings. It does not mitigate the harmful impacts of the proposal on the setting of the Listed Buildings. The applicant refers to Policy BH 11 and use of the word 'normally' which allows the Council to make a balanced planning judgement. The applicant states that the airtime and digital content should carry significant determinative weight. While the word 'normally' does allow a degree of flexibility, officers are clear that the proposal would be harmful and contrary to planning policy. The content of the screen does not have significant weight as the screen itself is contrary to policy regardless of the content. The applicant states that the Conservation Officer is incorrect and there are no vistas terminated by listed buildings in which the proposed active façade is visible. However, on the approach to Arthur Square from Ann Street the vista is terminated by both the</p>

	neighbouring building at 1- 5 Castle Lane/23-29 Cornmarket and the host building, the proposed active façade will be particularly viewable and appear to dominate the neighbouring listed building.
9.25	The applicant states that <i>'it is hard to see how the proposed alteration to the façade of a building deemed as having low significance in terms of architectural or historic merit can detract from the prominence of Listed Buildings which are facing it across from or obliquely to it.'</i> While the building itself is of low significance in terms of architectural or historic merit, the active façade would bring prominence to the building. The proposal would dominate Arthur Square detracting from both the Conservation Area and the Listed Buildings. As described when viewing the host building from towards Ann Street and William Street South, it appears pinched between two listed buildings, the proposal would detract from views of these listed buildings.
9.26	The applicant states that the existing corner feature within the building protrudes from the façade and is therefore more obtrusive than the proposed active façade. While the existing structure protrudes it does not impact on views of the building. The proposed active façade with its proposed illuminated screen would impact views of the host building as well as impact views of the Conservation Area and surrounding listed buildings. The statement sets out that the active façade can have a positive impact by giving life and interest to a building of limited/low heritage significance. It states the introduction of the active façade would encourage visitors to look up and draw the eye to appreciate the historic facades which complete Arthur Square, the active façade would to some degree illuminate the surrounding facades and highlight them. However, officers consider that the proposal would bring prominence to the building and detract from the surrounding character and setting of the listed buildings. An active façade/advertisement by its very nature is designed to attract attention and this would detract from the surrounding area and listed buildings regardless of the content of the advertisement. The argument that the active façade would illuminate the surrounding listed buildings demonstrates the potential detrimental impact the proposal will have.
9.27	<p>Suitability of the Demolition</p> <p>An application for Conservation Area Consent has been submitted for demolition of the section of the façade to be replaced under the reference LA04/2022/1867/DCA. The proposed demolition is considered under paragraph 6.15 of the SPPS and Policy BH 14 of PPS 6. The host building itself makes no material contribution to the character and appearance of the Conservation Area. While the proposed demolition would not in itself impact on the Conservation Area, it has been considered that the proposed active façade/advertisement is contrary to policy. Policy BH 14 states that where Conservation Area Consent for demolition is granted this will normally be conditional on prior agreement for the redevelopment of the site. The proposed development is not acceptable and therefore demolition consent cannot be granted due to the unsuitability of what is proposed to be put back following the demolition. The proposed demolition is therefore contrary to Policy BH 14 of PPS 6 and is unacceptable.</p>
9.28	<p>Impact of the Advertisement on Amenity</p> <p>Paragraph 6.57 of the SPPS states that Advertisement Consent should be given for the display of an advertisement where it respects amenity, when assessed in the context of the general characteristics of the locality.</p>
9.29	Paragraph 6.59 further states that care must be taken to ensure that all proposals will not detract from the place where advertising is to be displayed or its surroundings. In particular, it is important to prevent clutter, to adequately control signs involving illumination and to protect features such as listed buildings, and conservation areas from the potential adverse effects of advertising.

9.30	Paragraph 6.14 of the SPPS states ' <i>Consent for the display of advertisements or signs on a listed building should only be forthcoming where these are carefully designed and located to respect the architectural form and detailing of the building, and meet the requirements of strategic policy on the Control of Outdoor Advertisements.</i> '
9.31	Policy AD1 (i) of PPS 17 echoes that of paragraph 6.57 of the SPPS and states that consent will be given for the display of an advertisement where it respects amenity, when assessed in the context of the general characteristics of the locality. Amenity in relation to advertisements is usually understood to mean its effect upon the appearance of the building or structure or the immediate neighbourhood where it is displayed, or its impact over long distance views.
9.32	The proposal is considered to be contrary to the SPPS and Policy AD1 of PPS 17. With respect to Part (i) Amenity it is considered that the proposed advert is of a size, scale and design which would appear unduly prominent. The site is within a sensitive location surrounded by a number of listed buildings and within the City Centre Conservation Area. Given the sensitive location the advertisement would be overly dominant. As per the SPPS, it is important to adequately control signs involving illumination and to protect features such as listed buildings, and conservation areas from the potential adverse effects of advertising. The scale of the advertising fails to protect the listed buildings and conservation area. Guidance within PPS 17 states that high level signs will generally only be appropriate where they relate to the scale and primary use of the host building, the advertisement in this case would not. Furthermore, the guidance states that only the lettering should be illuminated, the level and type of illumination display in this case will further make the advertisement prominent and unduly dominant.
9.33	It is also considered that the proposed advertisement would result in clutter. The surrounding area contains signage which in the main relates to the retail uses at ground floor level, there is also an LED screen at ground floor level. The area contains low level signage or higher level signage of a modest scale. The proposal would be at a scale which would dominate the surrounding area and is located on the upper floors of the building giving concerns that this would lead to the appearance of clutter in a conservation area.
9.34	The proposal fails to accord with the Strategic Planning Policy Statement, Policy AD 1 of PPS 17 and Policy BH 13 of PPS 6, and is unacceptable.
	<p>Impact of the Advertisement on Public Safety</p>
9.35	Arthur Square is not routinely used by vehicle traffic and it is considered that the proposal would not have an adverse impact on highway or public safety.
10.0	<p>Summary of Recommendation:</p> <p>It is recommended that permission and consents are refused with delegated authority given to the Director of Planning and Building Control to finalise the wording of the refusal reasons.</p>

11.0	<p>Draft Refusal Reasons</p> <p>LA04/2022/1861/F</p> <ol style="list-style-type: none"> 1. The proposal is contrary to paragraph 6.18 of the SPPS and Policy BH 12 criterion (a) (b) (c) (e) (g) of PPS 6: Planning, Archaeology and The Built Heritage in that the scale, form and design of the proposal would fail to preserve or enhance the character of the City Centre Conservation Area. 2. The proposal is contrary to paragraph 6.12 of the SPPS and Policy BH 11 criterion (a) and (c) of PPS 6: Planning, Archaeology and The Built Heritage in that the scale, height, massing, design and nature of the proposed active signage would visually compete with and adversely affect the setting of surrounding Listed Buildings. <p>LA04/2022/1867/DCA</p> <ol style="list-style-type: none"> 1. The proposal is contrary to paragraph 6.12 of the SPPS and Policy BH 14 of Planning Policy Statement 6: Planning, Archaeology and Built Heritage in that an acceptable scheme has not been achieved through the full planning application under reference LA04/2022/1861/F. The proposed demolition would therefore fail to preserve to enhance the character or appearance of the Conservation Area. <p>LA04/2022/1860/A</p> <ol style="list-style-type: none"> 1. The proposal is contrary to paragraphs 6.57 to 6.59 of the SPPS, Policy AD1 criterion (i) of PPS 17: Control of Outdoor Advertisements and Policy BH 13 of Planning Policy Statement 6: Planning, Archaeology and The Built Heritage in that the proposed advertisement, by reason of its unsympathetic design, location and excessive scale, would fail to respect amenity and would adversely affect the character of the Conservation Area.
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Notification to Department (if relevant)

The application for Conservation Area Consent would have to be notified to the Department for Infrastructure were the Planning Committee to resolve to grant consent.

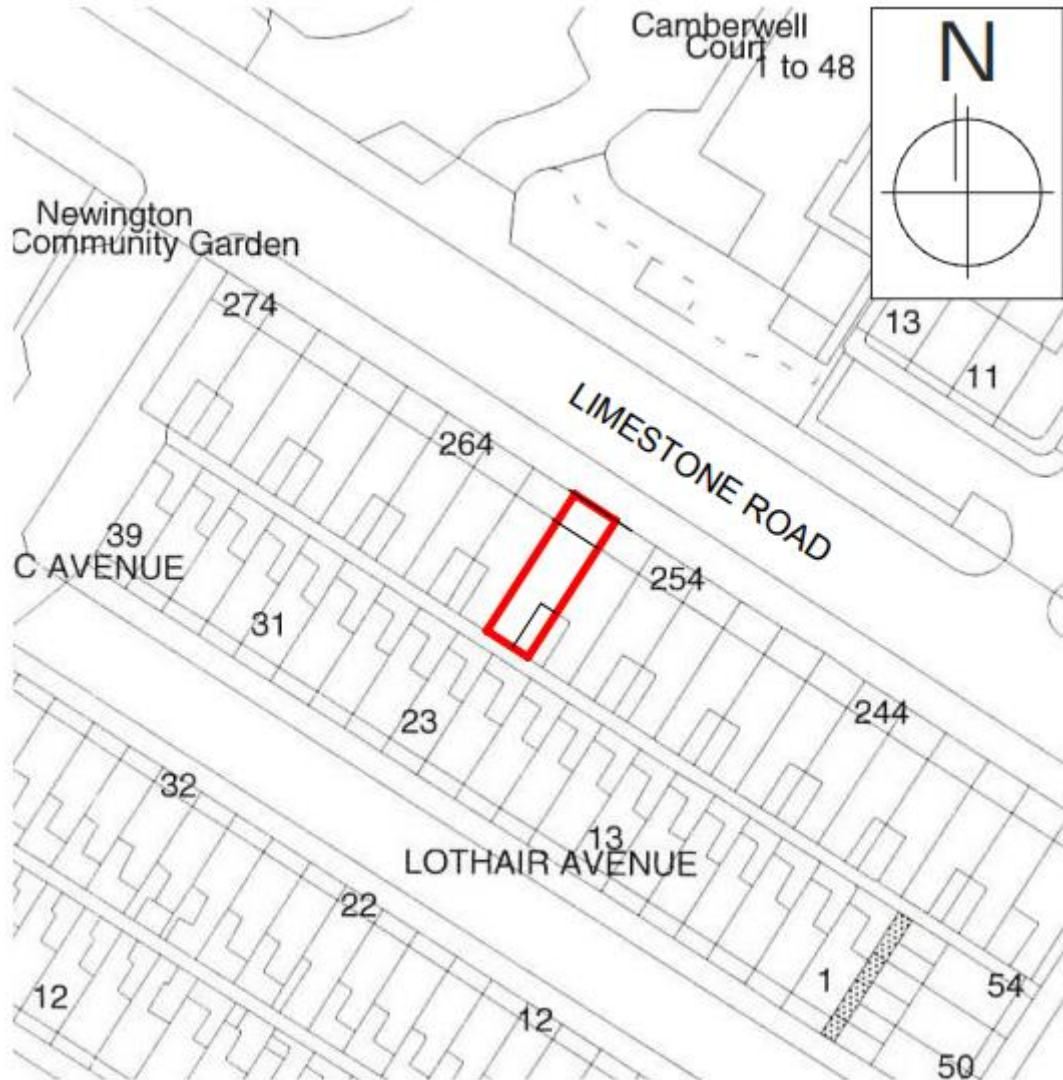
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Committee Report

Development Management Report	
Application ID: LA04/2022/1831/F	Date of Committee: 18 th April 2023
Proposal: Change of use from residential to short term stay accommodation.	Location: 258 Limestone Road Belfast BT15 3AR.
Referral Route: Requested by councillor Carl Whyte as per para 3.8.1 in the Scheme of Delegation	
Recommendation: Approval	
Applicant Name and Address: Mr John Young 1 Riverside Magherafelt BT45 6GZ	Agent Name and Address: Tim Doyle Total Architecture + Design Limited 140 Lisburn Road Belfast BT9 6AJ
<p>Executive Summary:</p> <p>The application seeks planning permission for change of use from a residential dwelling to short term stay accommodation.</p> <p>The site is located at 258 Limestone Road. The property is a 2.5 storey residential terrace with a two storey rear return. There is a small enclosed amenity space to the rear of the building, accessed by a gate from a rear service alley located on Oceanic Avenue. The immediate area predominantly consists of residential use.</p> <p>The site is situated on white-land within the Belfast Urban Area Plan 2001. In the draft Belfast Metropolitan Area Plan 2015, the site is within an Area of Townscape Character, Alexandra Park.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • Principle of a holiday let at this location • Impact on the character and appearance of the area • Access/Parking • Impact on residential amenity <p>There have been no objections from consultees.</p> <p>Nineteen objections have been received and are addressed within the main report.</p> <p>The application has been referred to the Committee at the request of Councillor Whyte on grounds of amenity and compatibility with the character and environmental quality of the area.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p> <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	Description of Proposed Development
1.1	The application seeks planning permission for change of use from a residential dwelling to short term stay accommodation. The property would provide five bedrooms, each of which could be let separately to different persons.
2.0	Description of Site
2.1	The site is located at 258 Limestone Road. The property is a 2.5 storey residential terrace with a two storey rear return. There is a small enclosed amenity space to the rear of the building, accessed by a gate from a rear service alley located on Oceanic Avenue. The immediate area predominantly consists of residential use.

2.2	The site is situated on white-land within the Belfast Urban Area Plan 2001 (BUAP). In the draft Belfast Metropolitan Area Plan 2015 (dBMAP), the site is within as an Area of Townscape Character, Alexandra Park.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	None relevant
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) (dBMAP) Following the Court of Appeal decision on dBMAP (2014), the extant development plan is the BUAP. DBMAP (both v2004 and v2014 versions) are material considerations. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 6 Addendum: Areas of Townscape Character
4.7	Planning Policy Statement 16: Tourism
5.0	Statutory Consultees Responses DFI Roads – No objections
6.0	Non Statutory Consultees Responses Environmental Health – No objections NI Water – No objections

<p>7.0</p> <p>7.1</p> <p>7.2</p>	<p>Representations</p> <p>The application was advertised on the 14th October 2022 and neighbour notified on the 12th October 2022.</p> <p>Nineteen objections have been received from surrounding residents, these are summarised below:</p> <ul style="list-style-type: none"> • Anti-social behaviour – Case officer response: there is no evidence that the proposal would raise a significant issue in this regard; this would be a police matter. • Lack of privacy/overlooking – Case officer response: There are no external changes to windows or boundaries. Therefore, privacy/overlooking would not be impacted over and above the existing situation. • Noise disturbance – Case officer response: there is no evidence to indicate that the proposal would give rise to significant impacts over and above the existing situation. Environmental Health has raised no objection to the application. • Amount of traffic – Case officer response: the proposal could give rise to an increase in traffic. However, DFI Roads offers no objection to the proposal and there is no technical evidence of harm. • Lack of car parking space – Case officer response: the proposal could give rise to additional parking pressures. However, the site is a sustainable location in close proximity to the Antrim Road, an arterial route, with good access to public transport. DFI Roads has offered no objection and has not raised concerns about parking availability. • Who will be the occupants – Case officer response: this is not a material planning consideration. • Management of rubbish/bins – Case officer response: this is not considered a planning matter for a proposal of this nature.
<p>9.0</p> <p>9.1</p> <p>9.2</p> <p>9.3</p> <p>9.4</p>	<p>Assessment</p> <p>It is considered that the proposal is in compliance with SPPS in that the proposed development would not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> <p>Principle of short term lets in this location</p> <p>The application site proposes a change of use from a residential dwelling to short term stay accommodation. The property is located on white-land in BUAP.</p> <p>Policy TCM 1 of PPS 16: Tourism applies. It states:</p> <p><i>‘Tourism Development in Settlements</i></p> <p><i>Planning permission will be granted for a proposal for tourism development (including a tourist amenity or tourist accommodation) within a settlement; provided it is of a nature appropriate to the settlement, respects the site context in terms of scale, size and design, and has regard to the specified provisions of a development plan.’</i></p> <p>The proposal complies with Policy TSM 1 of PPS 16. The proposal is for a short term let which is appropriate to the settlement of Belfast and will support tourism in the city. The location is considered highly accessible on an arterial route. The proposal is considered to respect the context of the site in terms of scale, size and design.</p>

<p>9.5</p> <p>9.6</p> <p>9.7</p> <p>9.8</p> <p>9.9</p>	<p>Impact on the character and appearance of the area</p> <p>The proposal is considered to comply with Policy TSM 1 of PPS 16. The proposal is introducing no new external alterations. It is considered that the character and appearance of the draft Area of Townscape Character would be preserved.</p> <p>Impact on amenity</p> <p>The proposal does not require any external changes to the building and there would be no additional impacts over and above the existing use on the neighbouring properties in terms of loss of light, overshadowing, overlooking etc.</p> <p>Each of the five bedrooms in the property could be occupied by separate persons which could give rise to additional comings and goings of people and activity. However, the nature of the proposal is residential (albeit intensified) and there is no evidence that the proposal would give rise to significant noise or other amenity impacts. Environmental Health offers no objection to the proposal. Whilst it has recommended a condition to require a management plan to manage tenant behaviour, this would go beyond reasonable planning control and would also not be enforceable.</p> <p>Parking/Traffic</p> <p>Each of the five bedrooms in the property could be occupied by separate persons which could give rise to additional traffic and parking pressures. The site is a sustainable location, close to the Antrim Road, with good access to public transport. DfI Roads were consulted and advises no objection to the proposal. The parking and traffic impacts are considered acceptable.</p> <p>Others matters</p> <p>The request to refer the application to Committee makes reference to Policies LC1 and LC2 of Planning Policy Statement 7 Addendum: Safeguarding the Character of Established Residential Areas. However, these are not relevant to the proposal as they relate to proposals for new housing.</p>
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation:</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p> <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions</p>
<p>11.0</p>	<p>DRAFT CONDITIONS:</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Informatives</p> <p>This decision relates to the following approved drawing number: 02</p>

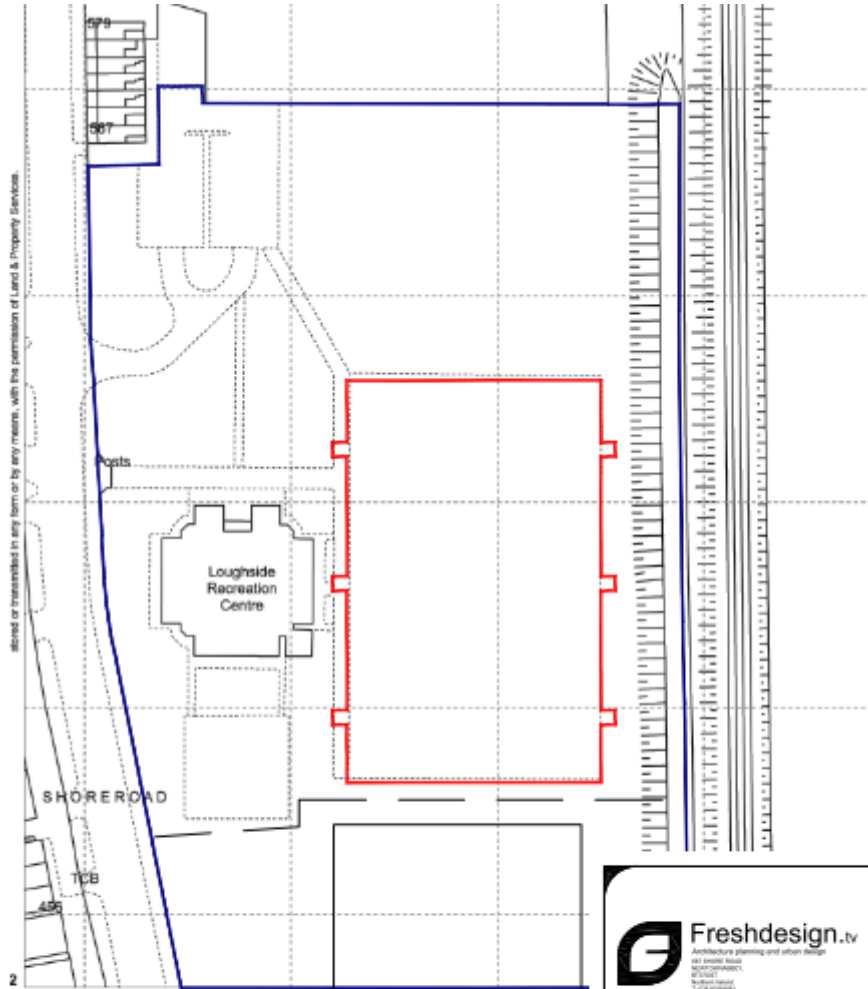
ANNEX	
Date Valid	29 th September 2022
Date First Advertised	14 th October 2022
Date Last Advertised	14 th October 2022
Date of Last Neighbour Notification	12 th October 2022
Date of EIA Determination	N/A
ES Requested	No

Committee Report

Development Management Report	
Application ID: LA04/2023/2665/F	Date of Committee: 18 th April 2023
Proposal: Replacement of existing all weather playing pitch with 3G pitch, new fencing, floodlights and dugouts	Location: Loughside Recreation Centre Shore Road, Belfast, BT15 4HP
Referral Route: The land of the proposal is owned by Belfast City Council.	
Recommendation: Approval	
Applicant Name and Address: Tommy Whiteside Crusaders Sport and Social Development Trust St Vincent Street Belfast BT15 3QG	Agent Name and Address: Paul Durnien Durnien Surveyors and Project managers 667 Shore road Newtownabbey bt37 0st
<p>Executive Summary:</p> <p>The application seeks planning permission for the replacement of the existing all weather playing pitch with a 3G pitch, new fencing, floodlights and dugouts.</p> <p>The site is located within the lands of Loughside recreation centre on the shore road. To the west of the site is the shore road with commercial and residential uses situated along it. The east boundary is defined by mature hedge/vegetation growth.</p> <p>The site is situated on lands reserved for landscape, amenity or recreation use within BUAP. The site is designated within dBMAP as an area of existing open space.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • Principle of development at this location; • Impact on the character and appearance of the area • Impact on residential amenity; and • Infrastructure capacity <p>There have been no objections from consultees.</p> <p>There have been no objections received from neighbours.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, (pending outstanding consultation responses) it is considered that the proposal should be approved.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions.</p>	

Case Officer Report

Site Location Plan



SITE LOCATION MAP
SCALE 1:1250



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PROJECT:
UPGRADE OF EXISTING ALL WEATHER PITCH TO 3G
PITCH WITH FLOODLIGHTING, FENCING & TEAM
DUGOUTS @SHORE ROAD PITCHES, BELFAST

Project No: 23-02 Drawing Number:
LM01 - SITE LOCATION MAP

Client:
CRUSADERS SPORTS & SOCIAL DEVELOPMENT TRUST

Drawn by/ Check By: JDC/PD Date: FEB 22 Scale: 1:1250

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks planning permission for the replacement of the existing all weather playing pitch with a 3G pitch, new fencing, floodlights and dugouts.
2.0	Description of Site
2.1	The site is located within the lands of Loughside recreation centre on the shore road. To the west of the site is the shore road with commercial and residential uses situated along it. The east boundary is defined by mature hedge/vegetation growth.
2.2	The site is situated on lands reserved for landscape, amenity or recreation use within BUAP. The site is designated within dBMAP as an area of existing open space.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	None relevant
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) Following the Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and x2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 8: Open space, sport and recreation
5.0	Statutory Consultees Responses DFI Roads- No objections
6.0	Non Statutory Consultees Responses Environmental Health- Outstanding DFI Rivers – Outstanding NIEA – No objection

7.0	Representations
7.1	The application was advertised on the 10 th March 2023 and neighbour notified on the 28 th February 2023.
7.2	No objections were received.
9.0	Assessment
9.1	It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
9.2	Principle of development and Impact on the character and appearance of the area
9.3	The principle of open space/recreational development has already been established and deemed acceptable at this location. It is considered that the character and appearance of the area would be preserved. The proposal is for an upgrade to the existing recreational facility only. Thus, there is no objection in principle to this proposal subject to the material considerations set out below.
9.4	<p>Impact on residential amenity</p> <p>Visual - The proposal is to upgrade the existing pitch to a synthetic 3G pitch with floodlighting, fencing and dugouts. The visual changes are required to upgrade, secure, extend and improve the overall use of this facility. The changes are not significant and will not have an unacceptable detrimental visual impact on the surrounding area or on the visual amenity of surrounding commercial/residential properties given that similar infrastructure already exists within the recreation centre lands.</p> <p>Policy OS 7 of PPS 8 is applicable given the inclusion of floodlighting in the proposal. It advises that floodlighting will only be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> (i) there is no unacceptable impact on the amenities of people living nearby; (ii) there is no adverse impact on the visual amenity or character of the locality; and (iii) public safety is not prejudiced. <p>With regards to the above criteria, similar floodlighting exists on the adjoining pitches. Therefore, it is considered that additional lighting will not exacerbate the existing situation. Environmental Health were consulted but have yet to respond. If any issues are received regarding material planning matters, the application will be re-presented to Planning Committee.</p> <p>Parking/Traffic</p> <p>DfI Roads were consulted and stated no objection to the proposal.</p>
9.5	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation:
10.1	Approval (pending outstanding consultation responses). Delegated authority is also requested to finalise the wording of any conditions suggested by Environmental Health.
11.0	DRAFT Conditions:
	<ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>

	Informatives 1. This decision relates to the following approved drawing numbers: 03, 04, 05 and 06.
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ANNEX	
Date Valid	13 th February 2023
Date First Advertised	10 th March 2023
Date Last Advertised	10 th March 2023
Date of Last Neighbour Notification	28 th February 2023
Date of EIA Determination	6 th March 2023
ES Requested	No
Drawing Numbers and Title 01 – Site location Plan 02 – Existing site layout 03 – Proposed site layout 04 – Proposed elevations 05 – Proposed floodlight elevations 06 – Dugout elevations	

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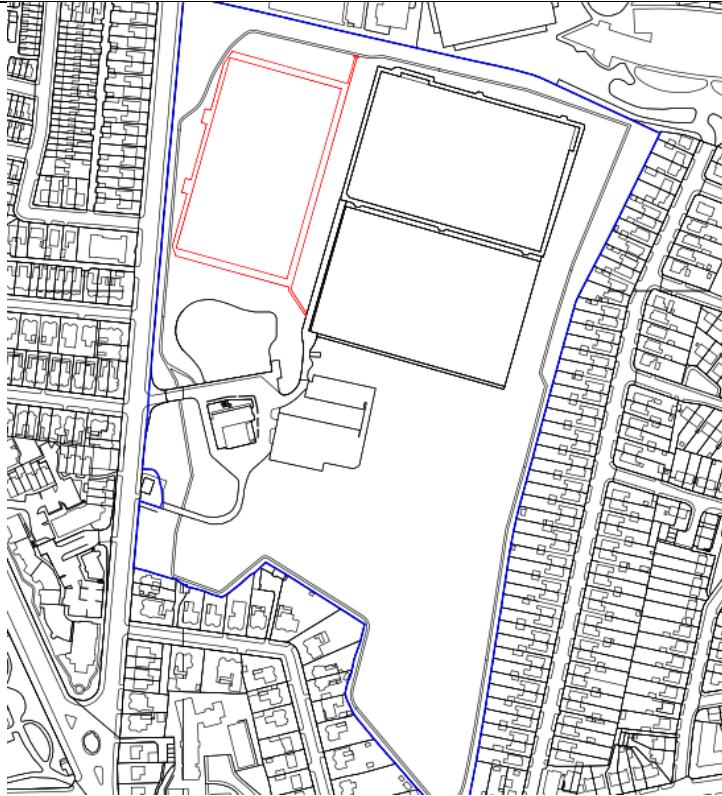
Committee Report

Development Management Report	
Application ID: LA04/2023/2362/F	Date of Committee: 18 th April 2023
Proposal: Proposed 30m (length) x 11m (height) ball stop fencing, spectator fencing, with a pathway surrounding the existing pitch, and associated site works. (amended description)	Location: Cherryvale Playing Fields, Ravenhill Road, Belfast, BT6 8EE
Referral Route: Planning Committee (BCC application)	
Recommendation:	Approval
Applicant Name and Address: Stephen McCullough Physical Programmes at Belfast City Council Belfast City Council 4-10 Linenhall Street Belfast BT2 8BP	Agent Name and Address: Andrew Gibson AECOM 10th Floor Clarence West Building 2 Clarence Street West Belfast BT2 7GP
<p>Executive Summary:</p> <p>The application seeks planning permission for a proposed 30m (length) x 11m (height) ball stop fencing, spectator fencing, with a pathway surrounding the existing pitch, and associated site works.</p> <p>The site is located at Cherryvale Playing Fields, Ravenhill Road Belfast which is a Council community park centred around a playpark, sports pitches, a clubhouse building and associated parking. There are a number of mature trees throughout the site and around the site periphery.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • Impact on amenity • Impact on the character and appearance of the area • Other considerations <p>The site is within Cherryvale Local Landscape Policy Area. The use of the area for sports pitches, some of which already contain floodlighting and nets, means the proposal will have no impact on the Local Landscape Policy Area.</p> <p>There have been no objections from consultees.</p> <p>Seventeen objections have been received, two comments of support and one neutral comment. These are addressed within the main report.</p> <p>Recommendation</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved. Delegated authority to the Director of Planning and Building Control is sought to resolve the following:</p>	

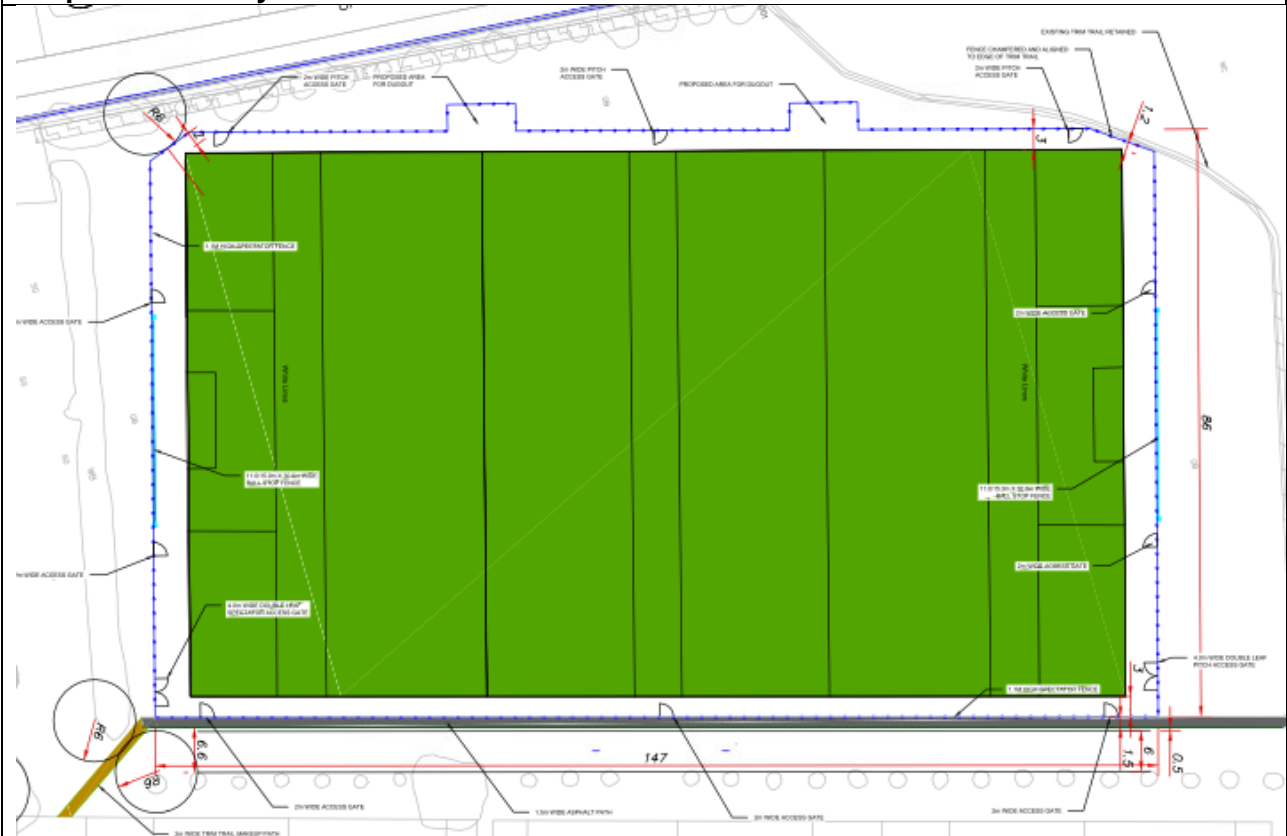
1. Consider and resolve where appropriate, any further representations received following readvertisement and re-notification of neighbours and objectors of a correction of the description of the proposal;
2. Resolve any matters arising from the outstanding consultation response from Environmental Health in the event this is not received prior to Committee.

Case Officer Report

Site Location Plan



Proposed Site Layout Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application seeks full planning permission for proposed 30m (length) x 11m (height) ball stop fencing, spectator fencing, with a pathway surrounding the existing pitch, and associated site works.
2.0	Description of Site
2.1	The site is located at Cherryvale Playing Fields, Ravenhill Road Belfast which is a Council community park centred around a playpark, sports pitches, a clubhouse building and associated parking. There are a number of mature trees throughout the site and around the site periphery.
2.2	The site is located within a Local Landscape Policy Area designated in dBMAP. To the North of the site is St Joseph's College and Aquinas Grammar School. To the West of the site is the Ravenhill Road with residential use on the other side of the road. Rosetta Park is located to the south of the site and Knock Eden Park located to the east which comprise residential dwellings.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2014/1124/F Cherryvale Playing Fields 3G pitch with 2.4m perimeter fencing, 15m high ballstop fencing, floodlighting (20m high masts), single storey extension to existing changing rooms, re-siting of existing storage container and landscaping along boundary with Knock Eden Park. Permission Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) Following the Court of Appeal decision on BMAP, the extant development plan is now the BUAP. DBMAP (both v2004 and x2014 versions) is a material consideration. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight, save for retail policies relating to Sprucefield, Lisburn. The site is located within a Local Landscape Policy Area (LLPA) ref: BT116 within dBMAP (v2004), and Designation BT 098 within dBMAP (v2014).
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)

4.5	Planning Policy Statement 2: Natural Heritage
4.6	Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation
5.0	Non Statutory Consultees Responses Environmental Health- No objections Tree Officer- further information requested.
6.0	Representations
6.1	The application was advertised on the 19 th January 2023 and neighbour notified on the 23 rd January 2023.
6.2	Seventeen objections were received as summarised below: <ul style="list-style-type: none"> • Old maps used, demonstrating inaccuracy • Fencing removing access to open space for residents • Dog Fouling • No Public Consultation • Aesthetically unsightly • Impact on trees • Blocking of Trim trail path • Parking and traffic movements
7.0	Assessment
7.1	The key issues to be considered are: <ul style="list-style-type: none"> • Impact on amenity • Impact on the character and appearance of the area and LLPA; • Other Considerations
7.2	Impact on Amenity: The proposed ball stop fencing and netting is not located close to any neighbouring dwellings for any loss of light or overshadowing to occur. Environmental Health was consulted on potential noise from the spectator and ballstop fencing. They had no concerns with the ballstop fencing however raised queries over the spectator fencing. Information was provided from the agent stating that the spectator fencing will be similar to the existing spectator fencing on the other sports pitches at Cherryvale. Ethylene Propylene Diene Monomer (EPDM) inserts will be placed behind the clamp bar within the fence fixings to mitigate against noise from ball strikes. Environmental Health have been consulted on these details but, at the time of writing, this response remains outstanding. Subject to confirmation that these details are acceptable, a condition requiring the provision and retention of these noise mitigation measures is necessary. Delegated authority is sought to resolve this issue if Environmental Health have not responded prior to Committee.
7.3	Character and Appearance of the Area: The original proposal included 2.4m perimeter fencing however has now been removed from the proposal resulting in a visual improvement of the scheme. The proposed ball stop net and 1.2m spectator fencing is considered appropriate for the use of the playing pitch it will border. The use of slim steel posts with the net means is considered sympathetic to the existing site and surrounding area, taking account of similar structures within the wider Cherryvale site. Weight must also be afforded to permitted development rights for means of enclosure under the Planning (General Permitted Development) Order 2015 under Part 3 Minor Operations which allows for the erection of a means of enclosure up to 2m in height where not adjacent to a public road. Public views of the ballstop and spectator fencing would

largely be limited to near distance views from the Ravenhill Road frontage of the park. It is considered that existing trees and vegetation around the site periphery would also filter views of the structures and on balance, the proposal would not result in unacceptable detrimental visual impacts and accordingly would not adversely impact on the draft LLPA as designated in both version of dBMAP.

Other Considerations

7.4 Belfast City Council Trees Department was consulted and requested additional information which has been sought from the applicant. Subject to adequate information regarding protection measures, Root Protection Zones, and compaction avoidance measures being submitted, they have no concerns with the proposal. Notwithstanding this information request, these matters are technical in nature and can be secured through an appropriate condition to ensure retained trees are protected. The proposal would not cause unacceptable loss of, or damage to, trees or other landscape features which contribute significantly to local environmental quality. No trees will be felled and there will be no loss of open space in accordance with policy OS1 of PPS8. The proposal also satisfies Policy OS4 of PPS8 relating the intensive sports facilities. Appropriate conditions are necessary to ensure the protection of existing trees and vegetation.

Representations

7.5 The points below have been raised in objections and are considered as follows:

- Old maps used, demonstrating inaccuracy

Case Officer Response: An amended and updated site location plan has been submitted which now follows the fencing path surrounding the pitch. This ensures that room is left for the trim trail and no trees will be impacted by the development. It also now includes additional connections to the trim trail/paths surrounding the pitch.

- Fencing removing access to open space for residents

Case Officer Response: The 2.4m perimeter fencing has now been removed from the proposal meaning public and community access will be retained. The 1.1m spectator fencing will remain with its purpose relating directly to the use of the sports pitch. This issue is further considered above

- Dog Fouling

Case Officer Response: This is not a material planning consideration and the Council are unable to withhold permission on this basis. This is a site management issue for BCC Parks Department.

- No Public Consultation

Case Officer Response: The application under consideration is a local scale application therefore is not a requirement from planning legislation for a community consultation event to take place. The application has been advertised in a local newspaper and all relevant neighbours notified through a neighbour notification letter in accordance with requirements of the legislation.

- Aesthetically unsightly

Case Officer Response: The proposal of ballstop fencing and spectator fencing is in keeping with the existing use of the site of a sports pitch. The spectator fencing is 1.1m in height therefore will not appear dominant or intrusive to the area. The

	<p><i>ballstop fencing is also considered acceptable and will have limited views from outside of the site due to the existing trees and vegetation. This is further considered above.</i></p> <ul style="list-style-type: none"> • Impact on trees <p><i>Case Officer Response: Belfast City Council Trees department was consulted on the application and have no objections to the proposal following the submission of additional information. There will be no felling of trees as set out in the above assessment.</i></p> <ul style="list-style-type: none"> • Blocking of Trim trail path <p><i>Case Officer Response: Following amendments, the trim trail path will remain in place with improved connectivity. The asphalt path is now on the eastern side of the pitch, extended to meet trim trail at north and south.</i></p> <ul style="list-style-type: none"> • Parking and traffic movements <p><i>Case Officer Response: It is considered that the proposal will not create any additional traffic within Cherryvale Playing fields.</i></p>
8.0	<p>Having regard to the Development Plan and other material considerations, the proposal is considered acceptable and approval is recommended subject to conditions outlined below. Delegated authority to the Director of Planning and Building Control is sought to:</p> <ol style="list-style-type: none"> 1. Consider and resolve where appropriate, any further representations received following readvertisement and re-notification of neighbours and objectors of a correction of the description of the proposal; 2. Resolve any matters arising from the outstanding consultation response from Environmental Health if this is not received prior to Committee.
9.0	Summary of Recommendation: Approve subject to conditions
10.0	<p>Conditions (delegated Authority to finalise conditions to the Director of Planning and Building Control requested):</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. Materials for the development hereby permitted shall be constructed in accordance with the approved plans. <p>Reason: In the interests of the character and appearance of the area.</p> <ol style="list-style-type: none"> 3. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work). <p>(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species</p>

and shall be planted before the expiration of the next available planting season to the satisfaction in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the any part of the development hereby permitted becoming operational. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. Prior to any part of the development hereby permitted becoming operational, a verification report demonstrating that all perimeter and ball stop fencing has been installed, including all noise mitigation measures, in accordance with the approved details. All perimeter and ball-stop fencing shall be permanently retained in accordance with these details thereafter.

REASON: In the interests of safety and amenity.

Informatives:

1. This decision notice relates to the following approved drawing numbers: 01a, 02a, 03, 04, 05

Committee Application

Development Management Officer Report	
Application ID: LA04/2022/1499/F	Committee Date: 18 April 2023
Proposal: Construction of new community wellbeing centre and cafe incorporating refurbishment and change of use of existing house, with a new adjacent community garden and men's shed facility.	Location: The Lockhouse 13 River Terrace Belfast BT7 2EN.
Reason for Referral to Committee:	Objection from statutory consultee (NI Water) and BCC funding.
Recommendation:	Approval with conditions
Applicant Name and Address: Lower Ormeau Residents Action Group 97 Balfour Avenue Belfast BT7 2EW	Agent Name and Address: Taggarts 23 Bedford Street Belfast BT2 7EJ
<p>Executive Summary:</p> <p>This application seeks full planning permission for the construction of new community wellbeing centre and cafe incorporating refurbishment and change of use of existing house, with a new adjacent community garden and men's shed facility. T</p> <p>The main issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • The principle of development • Impact on the character and appearance of the area • Impact on the setting of Listed monument • Impact on amenity • Access and parking • Environmental Considerations - Drainage, Waste-water infrastructure and Ecology <p>DfI Roads, DfC HED, and Environmental Health offer no objection. NI Water object to the application on grounds of lack of waste-water capacity; this issue is dealt with in the main report and found to be acceptable. DAERA and SES were consulted in this regard and a condition was recommended to restrict development until a suitable wastewater disposal system can be agreed.</p> <p>No representations have been received from third parties.</p> <p>The site is within the development limit of Belfast and the principle of development is considered acceptable.</p> <p>The design of the proposed extension and the proposed use to the existing building is acceptable. The changes to the existing open space are considered a betterment creating features of interest and additional seating. The man-shed and poly-tunnels will offer space and activities for the local</p>	

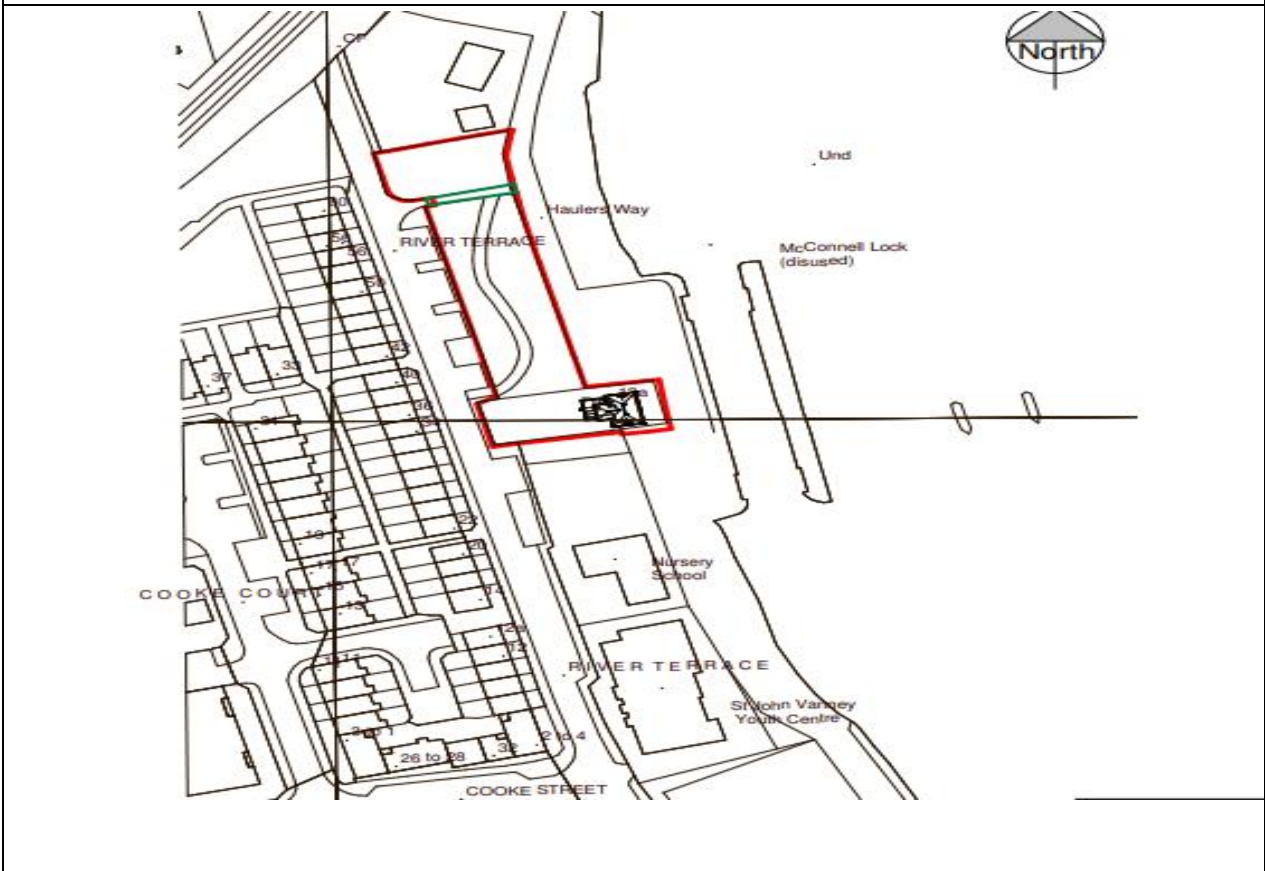
community. HED offers no objection there would be no harmful impact on the setting of Listed Monument. The parking survey shows sufficient parking to serve the development there will be no adverse transportation impacts.

Recommendation:

It is considered that the proposal is acceptable having regard to the Development Plan and relevant material considerations. It is recommended that planning permission is granted with delegated authority sought for the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan:





CGIs

Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 This application seeks full planning permission for the construction of new community wellbeing centre and cafe incorporating refurbishment and change of use of existing house, with a new adjacent community garden and men's shed facility.

2.0 Description of the Site and Area

2.1 The site is made-up of two distinct plots one is a two-storey detached dwelling finished in a painted render, the building sits within its plot with well defined boundaries of fencing and mature hedging. The second plot is an area of open space currently laid out in grass and public pathways forming part of the lagan walkway. The surrounding character is mix with the east side of the road having community buildings of recreation centre, youth club and nursery school. Whereas the west side of the road is in residential use dominated by two-storey red brick terrace housing.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

3.1 None relevant

4.0	Policy Framework Section 6(4) of the Planning Act (Northern Ireland) 2011 requires planning decisions to be made in accordance with the Development Plan, unless material considerations indicate otherwise.
4.1	Belfast Urban Area Plan 2001 (BUAP)
4.2	Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) (dBMAP) Following the Court of Appeal decision on dBMAP (2014), the extant development plan is the BUAP. DBMAP (both v2004 and v2014 versions) are material considerations. The weight to be afforded to dBMAP is a matter of judgement for the decision maker. Given its advanced stage in the Development Plan process, it is considered that dBMAP (v2014) carries significant weight.
4.3	Belfast Local Development Plan Draft Plan Strategy The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.4	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.5	Planning Policy Statement 2 Natural Heritage
4.6	Planning Policy Statement 3 Access, Movement and Parking
4.7	Planning Policy Statement 6 Archaeology & Built Heritage
4.8	Planning Policy Statement 8 Open Space, Sport & Outdoor Recreation
4.9	Planning Policy Statement 15 Planning and Flood Risk
5.0	Statutory Consultees Responses DfI Roads Service – no objection subject to conditions Historic Environment Division – no objection NI Water – objection on grounds of insufficient waste-water infrastructure capacity DAERA – awaited
6.0	Non Statutory Consultees Responses BCC Environmental Health – no objection subject to informatives and condition
7.0	Representations
7.1.	The application has been advertised in the press and neighbours have been notified. No third-party representations of objection have been received. One letter of support was received from local public representatives.

9.0	Key Issues
9.1	The main issues relevant to consideration of the application are:
	<ul style="list-style-type: none"> • The principle of development • Impact on the character and appearance of the area • Impact on the setting of Listed Monument • Impact on Open Space • Impact on amenity • Access and parking • Flooding • Waste-water infrastructure • Ecology
9.2	Principle of Development
	The site is located within the existing settlement limits for Belfast and within the BUAP and the dBMAP, the presumption is therefore in favour of development. The BUAP has no land use designations for the site the dBMAP shows the north section of the site, outside the confines of the existing building plot to be open space.
9.3	The SPPS advises that planning permission is ought to be granted or sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance. Officers accept that the proposal accords with the area plan and set below no areas of acknowledged importance is significantly harmed by the proposal
9.4	Impact on the character and appearance of the area
	River Terrace and Balfour Avenue runs in parallel to the west bank of the river Lagan. There is a clear distinction in land uses along the road frontage, to the west side of the road it is residential with two-storey dwellings being dominant. Within the residential use there are clear period differences Balfour Avenue being of old traditional styled Belfast housing, red brick terrace with no front amenity space. The housing between Shaftesbury Avenue and Cooke Steet, has the rear of the housing projects onto the road frontage and from Cooke Street onwards the housing is more modern dating circa 1970's/80s fronting onto the road with front amenity space.
9.5	To the east side of the road the main land uses are community buildings and open space amenity. This side of the road, same for site location, contains Shaftesbury Recreation Centre, a large leisure complex with outdoor play facilities. Proceeding on towards the site the next building is single storey St. John Youth Centre followed by another single storey building St. Malachy's Nursery School followed by the site, currently a two-storey dwelling and open space.
9.6	The site building is positioned at a greater distance from the road than the other community buildings, these buildings are positioned at various distances from the road edge ensuring no uniformity of building-line. The proposed extension will bring the building closer to the road edge which will make a significant change to the existing character when looking south, the proposed building obscuring the existing single storey neighbouring buildings with the creation of a large block extension. However, within the wider context the proposal can be seen as book ending the community developments

	along this section of road with Shaftesbury Recreation Centre to one end and the proposal at the other and the single storey building between.
9.7	The retention of the existing building retains the rendered finish; however, the proposed extension is designed with grey brick interlaced with brick panel work design of the same-coloured brick. The design includes a flat roof which will be a green roof. Although the materials are not common to the area, which is mostly red/brown brick and slate the materials proposed will offer a contrast to the wider and will not be too dissimilar to Shaftesbury Recreation Centre which is finished in a grey steel cladding. Officers are content that the proposal will not significantly detract from the surrounding character having regards to the community buildings already located along this section of road frontage and the materials offering an acceptable contrast.
9.8	The current open space provides access to the Lagan walkway; the proposal is designed to retain this public access to pathways. Officers are content that the proposal will not impinge on the current level of public access ensuring the open character is maintained.
9.9	<p>Impact on the setting of Listed Monument</p> <p>The site is adjacent Mc Connell's lock a listed monument, Historic Environment Division of DfI (HED) was consulted and indicated that the proposed balcony, which projected beyond the front façade of the building, within the original design, had an impact on the monument. Amended plans were submitted with the balcony projection removed which was found to be acceptable HED indicating that the proposal no longer impacted the monument. Officers concur with the opinion of HED that the proposal will not detract from the setting of the historic monument the relationship between the front façade of the building and the monument remaining unaltered.</p>
9.10	<p>Impact on Open Space</p> <p>The proposal will result in the loss of an area of open space due to the erection of the man shed and poly tunnels. It is however acceptable within policy OS 1 of PPS 8 for open space to be lost to development that will bring substantial community benefit. The proposal, when read in the round, would be accepted as offering community benefits. The existing open space is an area of open grassland with connecting pathways crossing it. The proposal will see the additional planting, raised beds and seating within the current open space creating a place of interest and usable for the general community, this area remains open to the public with only the area for the man-shed and poly tunnels fenced. Officers accept that the section of land dedicated to the man-shed and poly tunnels will be lost to the public for recreational use it will nevertheless create facilities for community use and creates an opportunity for greater community cohesion by providing space for various community activities.</p>
9.11	<p>Impact on amenity</p> <p>The adjacent nurse school is located to the south of the site and has a play and garden areas between the school building and site. Having regards to separation distance between the school building and proposed site and also direction of sun travel Officers are content there will be no impact on the school. Those properties immediately fronting onto the site no. 30 to 36 River Terrace will have a change to outlook with the extended building being closer to the front of these properties. The height of the building is quoted at 7.2m from road level to top of parapet the separation distance is 11.2m between the</p>

	<p>rear of the extension and the front of the properties. Having regards to the 45 degrees rule the proposal will not cast a significant shadow over these properties. Any shadow casted towards the dwelling will be morning time only as the site is to the east of the dwellings. The rear elevation of the proposed building has several features that will help to reduce the appearance of dominance these include a step within the wall design, windows, doors, and brick panelling breaking up the massing of the gable and a proposed area for the erection of artwork. Officers are content, on balance, that the proposal will not significantly impact on the amenity of residential dwelling of River Terrace.</p>
9.12	<p>Access and Parking Dfl Roads Service was consulted and advised that additional information was required in the form of a parking survey to demonstrate sufficient on street parking for 7 vehicles. A parking survey was submitted and Dfl re-consulted. The information within the survey showed an average of 24 spaces available the minimum being 13 spaces and the maximum being 30 spaces.</p>
9.13	<p>Environmental Health issues Planning Service is awaiting the final response from BCC Environmental Health, concerns were raised within first reply regarding information within the Preliminary Risk Assessment (PRA) for potential ground contamination and odour abatement from proposed café. Additional information for the PRA was submitted together with Odour abatement report for further EHS consideration.</p>
9.14	<p>Flooding Dfl Rivers Agency was consulted and having regards to the submitted flood risk assessment has indicated that there is no objection to the proposal with standard informatives.</p>
9.15	<p>Waste-water Infrastructure</p> <p>NI Water has objected to the proposal on grounds of insufficient waste-water capacity. NI Water has advised that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no supporting data or information to evidence NIW's concern has been provided particular to this application. Clearly the objection is a material consideration. It is however a matter for the decision maker to determine the weight to be attached to it and all other material considerations.</p> <p>It is also noted that NI Water has a duty to connect significant committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all.</p> <p>For these reasons' officers are of the view that it would be unreasonable to give determining weight to the NI Water objection.</p>

9.16	<p>Ecology</p> <p>Belfast City Council is the Competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) for undertaking an Appropriate Assessment where a proposal is likely to have a significant environmental effect on Belfast Lough, an environmentally protected Special Protection Area (SPA), RAMSAR and Special Area of Conservation (SAC). Water quality of the lough is a key consideration. The Habitats Regulations are framed in such a way that it is not only the impacts of individual development proposals that need to be considered, but also “in combination” impacts with other development.</p> <p>Whilst a precautionary approach applies to Habitats Regulations Assessment (HRA), SES confirms that the onus is on NI Water to provide evidence of likely actual impacts, rather than hypothetical impacts. As Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a “significant effect” on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p> <p>Following response from NIEA and SES a condition will be imposed on the approval to restrict commencement of the development until an agreed wastewater disposal method is reached.</p> <p>A Biodiversity checklist was completed on the site given location adjacent to river and potential for Bat Roost. The survey indicated that no signs were visible of otter or badger activity at the site however there were signs of bats droppings and gaps within the building fabric that had potential for Bat roosts. A Bat survey was undertaken and concluded that there were no indications of Bats within the building although Bats were identified commuting over the site and foraging. The report recommended no additional survey required although a precaution approach should be taken when contractors commence works on site and report any findings indicating Bats within the site.</p>
10.0	<p>Summary of Recommendation:</p> <p>10.1 Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved.</p> <p>10.2 It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions.</p>
11.0	<p>DRAFT CONDITIONS:</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. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless</p>

details of foul and surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

3. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end use.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

4. After completing the remediation works under Condition 3; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

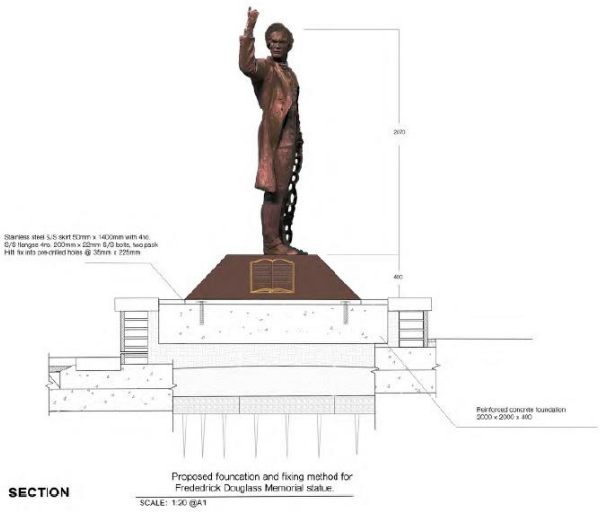
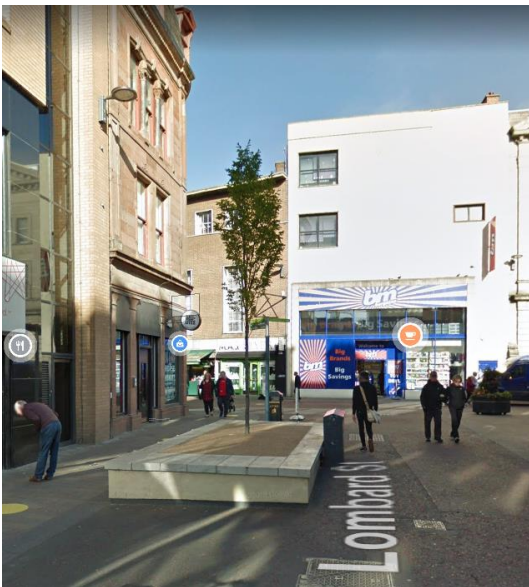
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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 th April 2023	Item Number:
Application ID: LA04/2023/2701/F	Target Date:
Proposal: Erection of life size bronze sculpture of Frederick Douglass.	Location: Existing Planter located approximately 2.5m east of No.10-20 Lombard Street (amended)
Referral Route: Belfast City Council is the applicant	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9 Adelaide Adelaide Street Belfast BT2 8GA	Agent Name and Address:
<p>Executive Summary:</p> <p>The application is seeking full planning permission for the erection of a life size sculpture of Frederick Douglass, using an existing planter base on Lombard Street.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> - Impact on amenity and general characteristics of the area - Impact on setting of the listed building and conservation area. - Impact on public safety. <p>The site is located at approximately 2.5m east of No.10-20 Lombard Street; the existing planter sits on the largely pedestrianised street. The surrounding area is a mix of retail, commercial and hospitality properties.</p> <p>The proposal will be assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP), PPS6: Planning, Archaeology and the Built Environment and all other relevant material planning considerations.</p> <p>Recommendation: Seeking delegated authority to determine the application upon receipt of the consultation responses.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application is seeking full planning permission for the erection of a life size sculpture of Frederick Douglass, using the existing planter base on Lombard Street. The proposed sculpture will measure approximately 2.43m in height including the plinth on which it will sit. The proposed statue will be cast in bronze and be a dark brown colour.
2.0	Description of Site
2.1	The application site is located approximately 2.5m east of No.10-20 Lombard Street in the city centre. It is an existing raised planter which is located on the street. The neighbouring properties along Lombard Street and nearby Rosemary Street are of a retail, commercial and hospitality nature.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	There is no relevant site history.
4.0	Policy Framework
	<u>Development Plans</u>
4.1	Belfast Urban Area Plan (BUAP) 2001
4.2	Draft Belfast Metropolitan Area Plan (dBMAP v2004)
4.3	Draft Belfast Metropolitan Area Plan (dBMAP v2014)
4.4	Draft Belfast Local Development Plan 2035 – Draft Plan Strategy
	<u>Regional Planning Policy</u>
4.5	Regional Development Strategy (RDS) 2035
4.6	Strategic Planning Policy Statement (SPPS)
5.0	Consultations:
5.1	Statutory Consultee Responses
5.1.1	Conservation Officer – Awaiting response Historic Environment Division – Awaiting response
5.2	Non-Statutory Consultee Responses
5.2.1	None
6.0	Representations
6.1	No representations have been received to date.
7.0	Assessment
7.1	<u>Policy Context</u> Section 6(4) of the Planning Act (Northern Ireland) 2011 states that: <i>‘Where, in making any determination under this Act, regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.’</i>
7.2	Section 45(1) of the Act states that the council must <i>‘...have regard to the local development plan, so far as material to the application, and to any other material considerations...’</i> .

7.3	Following the Court of Appeal decision on BMAP, the extant development plan is the BUAP. However, dBMAP remains an important material consideration. Given the stage at which the draft BMAP (v2014) had reached pre-adoption through a period of independent examination, it is considered to hold significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.
7.4	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
	<u>Key Issues</u>
7.5	The key issues relevant to consideration of the application are: <ul style="list-style-type: none"> - Impact on amenity and general characteristics of the area - Impact on setting of the listed building and conservation area. - Impact on public safety.
7.6	The proposal is within the development limits as set out in both BMAP documents. It sits within the City Centre Conservation Area. The Conservation Officer has been consulted regarding the proposal; subject to their comments, it is not thought that the proposal would have a significant adverse impact on the character of the wider conservation area.
7.7	The proposal will be considered under PPS 6: Planning, Archaeology and the Built Environment. Policy BH11: Development affecting the setting of a Listed Building and Policy BH12: New Development in a Conservation Area will provide the relevant policy criteria in this instance. Historic Environment Division have been consulted in regards to the impact on the setting of the listed building, whilst the Conservation Officer has been consulted in regards to the impact on the City Centre Conservation Area.
7.8	In terms of the impact on public safety, the proposal is located on Lombard Street. Given the planter base already exists and will be retained, with the statue erected on it, it is not thought that the proposal would have a significant adverse impact on public safety.
8.0	Conclusion
8.1	Approval is recommended subject to final consultations responses being received Delegated authority is being sought to apply conditions as appropriate on receipt of the HED and Consultation Officer comments.

ANNEX	
Date Valid	10 th March 2023
Date First Advertised	24 th March 2023
Date Last Advertised	As above
Date of Last Neighbour Notification	28 th March 2023
Date of EIA Determination	N/a
ES Requested	No
Drawing Numbers and Title 01 – Site Location Plan 02 – Block Plan 03A – Proposed Elevations 04 – Existing Elevations	
Notification to Department (if relevant) N/A Date of Notification to Department: Response of Department:	

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