

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: 20 th September 2022	
Application ID: LA04/2022/0209/F	
Proposal: Proposed development of 31No. social housing units comprising of 16No. apartments and 15No. townhouses, car parking, landscaping and all associated site and access works.	Location: Lands at Nos. 176-184 and No. 202 Woodstock Road and Nos. 2-20 Beersbridge Road, Belfast.
Referral Route: More than 12 units with objection (as per 3.8.2 (i) of the Delegated Scheme)	
Recommendation:	Approve subject to conditions and S76 Planning Agreement
Applicant Name and Address: Hargan Homes Ltd Unit 2 Channel Wharf 21 Old Channel Road Belfast	Agent Name and Address: TSA Planning 20 May Street Belfast BT2 8AB
<p>Executive Summary: This application seeks full planning permission for 31 no. social housing units, comprising 16No. apartments and 15No. townhouses, car parking, landscaping and all associated site and access works.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of the proposal at this location • Design, layout and impact on the character and appearance of the area • Impact on Residential Amenity • Impact on Historic Buildings • Access, Movement and Parking • Drainage and Flood Risk • Infrastructure Capacity • Environmental Health <p>The application site is located within the settlement development limit and has been zoned partially for housing and is located in a Housing Action Area in the adopted BUAP.</p> <p>Under the provisions of the draft BMAP (2004) and BMAP (2015) the site is within a Commercial Node/Area of Car Parking Restraint and located next to an Arterial Route (Woodstock Road).</p> <p>The surrounding area is predominantly residential in character. The site is occupied by a car business which includes a car showroom and a car wash/valet.</p> <p>The proposal is for social housing and NI Housing Executive have expressed their support for the proposal.</p>	

DFI Roads, EHO, NIE, Rivers Agency, NIEA, NI Water and HED offered no objections to the proposal.

Two letters of objection have raised concerns with traffic, parking and impact on residential amenity. They have been fully considered within the report below.

The proposed development will not adversely impact the character and appearance of the surrounding area. It is considered to be sympathetic in its built form, scale, massing and appearance with the surrounding area and neighbouring properties. It is considered that the proposal will not raise any unacceptable issues in relation to residential amenity including overshadowing and loss of light. Amendments have been secured to amend rear windows on the proposed apartments to ensure no direct overlooking into the existing houses; immediate neighbours have been re-notified.

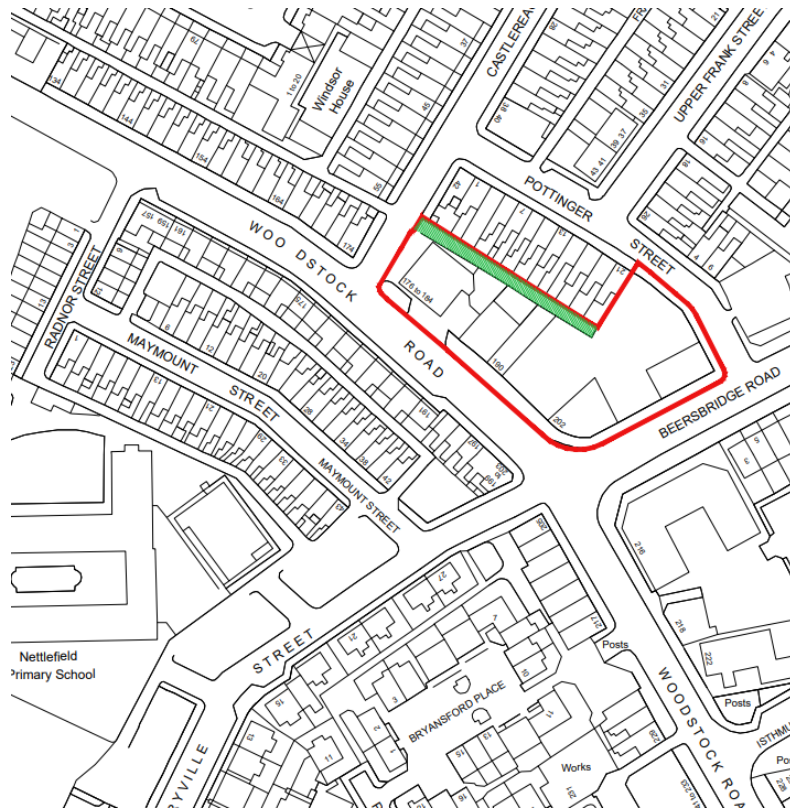
Having regard to the policy context and all material considerations, the proposal is considered on balance to be acceptable and planning permission is recommended for approval subject to no new substantive planning issues being raised by third parties. It is considered in this case given the obvious benefits of bringing forward much needed new housing stock that permission should be granted with conditions and Section 76 Agreement to secure Green Travel Measures.

Recommendation - Approval subject to conditions and S76 Planning Agreement.

It is requested that the committee delegate authority to the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan



Proposed Site Layout



Proposed Elevations



Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The proposal consists of 31No. social housing units comprising of 16No. apartments and 15No. townhouses, car parking, landscaping and all associated site and access works.

2.0 Description of Site and Surrounding Area

2.1 The application site is located on the corner of Woodstock and Beersbridge Road, at No. 176 – 202 Woodstock Road and No. 2 - 20 Beersbridge Road. The site is currently used by Holmes Motors and the adjacent Car Wash/Valet Centre. This includes a Car Showroom, Forecourt and MOT Garage which are located on the southern/south-eastern portion of the site, and the Car Wash and Valet Centre on the western portion. The transition between the two areas of the site is denoted by a c.2m high yellow and blue palisade fence to the north-western and western boundary, changing to a c.4m paladin fence from the western to southern boundary; the latter which is intersected at intervals by access gates and red brick pillars to the Car Forecourt and Showroom.

2.2 The immediate area of the application site comprises a mix of primarily residential, commercial and retail uses with further educational, religious and recreational uses in the wider locality. The north-eastern boundary partly fronts Pottinger Street, and also abuts the shared alleyway serving the rear yard areas of Nos. 1-21 (odds) Pottinger Street, whereas the south-eastern, southwestern, and north western boundaries front Beersbridge Road, Woodstock Road and Castlereagh Place respectively.

2.3 The wider surrounding area is characterised by medium to high density residential developments. This includes the modern 2 storey brown brick terraced dwellings at Nos.

2.4	<p>157-191 Woodstock Road to the southwest, and a mixture of 2/2.5 storey terraces and three storey apartment developments located at Nos. 4-16 and No. 2 Cherryville Street (Charlton House) further southwest. Two and a half storey red brick terraced dwellings are also located at Nos. 35- 55 (evens) Castlereagh Place to the north, and along Beersbridge Road and Pottinger Street.</p> <p>The site is located circa 1.9 miles (c.3km) to the southeast of Belfast City Centre, with local amenities such as House of Prayer Ireland, Beersbridge Family Centre, Mackey Options, Boots Pharmacy and Nettlefield Primary School all located within the immediate locality. The site is readily accessible to the City Centre and wider locality by walking and cycling; accommodated by cycle lanes and footpaths. The site is also well served by existing public transport services with bus stops located along Woodstock Road and Beersbridge Road.</p>
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Planning Assessment of Policy and other Material Considerations

3.0	Planning History
3.1	<p>LA04/2021/1158/PAD Proposed residential development comprising of 16No. apartments and 15No. townhouses, landscaping and all associated site and access works. Address: Lands at Nos. 176-184 and 202 Woodstock Road, and Nos. 2-20 Beersbridge Road, Belfast.</p>
3.2	<p>Z/2007/2179/F Development consisting of 1 no. retail unit on ground floor and 63 no. apartments above. Lands at Woodstock Road/Beersbridge Road (Holmes Garage), Belfast, BT06 8AG. Granted 08.12.2009</p>
3.3	<p>Z/2000/2974/O Construction of 5 no 2-bedroom studio apartments with associated car parking. 186-190 Woodstock Road, Belfast Granted 11.07.2001</p>
3.4	<p>Z/1995/0096 Proposal: Demolition of two vacant shops, extension to filling station and erection of forecourt shop 176/188 WOODSTOCK ROAD BELFAST BT6</p>
3.5	<p>Z/1988/0018 Demolition and rebuilding of petrol station 176/184 WOODSTOCK ROAD BELFAST BT6</p>
3.6	<p>Surrounding Area Relevant consents in the wider area include planning permission immediately southwest of the site at 42-46 Cherryville Street and 193-197 Woodstock Road in October 2017 (Ref: LA04/2015/1096/F) for the construction of 4No. four-bedroom apartments and 8No. two-bedroom apartments within a three-storey block, and all associated site works (permission expires 4/10/22). Permission immediately northwest of the site at 174 Woodstock Road in (LA04/2020/0309/F) for the demolition of the existing property, and construction of a three-storey building with 3No. one-bedroom apartments.</p>

4.0 Policy Framework

4.1	BUAP
4.2	Draft BMAP 2015
4.3	Draft BMAP 2004
<p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-</p>	

4.4	<p>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.</p> <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>
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.6	PPS 3 – Access, Movement and Parking
4.7	PPS 6 – Planning, Archaeology and Built Heritage
4.8	PPS 7 – Quality Residential Environments
4.9	PPS 7 – Addendum Safeguarding the Character of Established Residential Areas
4.10	PPS 8 – Open Space, Sport and Recreation
4.11	PPS 15 - Planning and Flood Risk
4.12	Other Guidance DCAN 8 – Housing in Existing Urban Areas Creating Places
5.0	Statutory Consultee Responses
5.1	NIEA: No objection subject to conditions
5.2	NIE: No objection
5.3	HED: No objection
5.4	NI Water: No objection subject to conditions
5.5	DfI Roads: No objections subject to conditions
5.6	Rivers: No objection subject to conditions
5.7	NIHE: Supportive of the proposed development
6.0	Non-Statutory Consultees Responses
6.1	Environmental Health – No objections subject to conditions
7.0	Representations
7.1	The Council has received two representations to the proposal objecting to the proposal.
7.2	<p><i>No. 1: Mary Cooke, 6 Pottinger Street, Belfast.</i></p> <ul style="list-style-type: none"> • Concerns around the potential loss of light due to the height and proximity of the proposal. • Concerns regarding lack of parking and wider parking issues within the area with commuter parking. Concern that the parking surveys are not a true representation as they were carried out during the pandemic.
7.3	<p><i>No. 2: Chris Moore and Pippa Cooke, 15 Pottinger Street, Belfast</i></p> <ul style="list-style-type: none"> • Concerns raised related to overshadowing and impact on privacy. • Concerns regarding lack of parking and wider parking issues within the area with commuter parking. Concern that the parking surveys are not a true representation as they were carried out during the pandemic. • Increase in traffic generation. • Impact and pressure on sewage infrastructure • Proliferation of bins in alleyways and potential issues with vermin

7.4	<p>Officers respond as follows to these objections:</p> <ul style="list-style-type: none"> • Concerns were raised regarding parking and traffic. DFI Roads considered the objections and are of the opinion that the proposal is acceptable and complies with PPS 3. Parking enforcement is a matter for DFI. Further discussion on parking, access and transport is included within the assessment section of the report. • The scale, height and massing of the proposal is considered to be acceptable. Amendments to the design were sought to ensure no significant overlooking of neighbours. The layout and aspect of the proposed apartments would mean that there would be no significant overlooking, overshadowing or detrimental impact on natural light to neighbouring properties. • NIW have advised there is available capacity at the WWTW and that there is a public foul sewer which can adequately serve the proposal. A condition is recommended with respect to agreeing an extension to the public surface water sewer. • The houses will have adequate rear gardens to store bins whilst the apartment block has a fully enclosed bin store and a bin pick up area depicted on the layout which is considered to be acceptable.
8.0	Assessment
8.1	<p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The Belfast Urban Area Plan 2001 (BUAP) is the statutory development plan for the area with dBMAP 2015 remaining a material consideration.</p>
8.2	<p>The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. The use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings. The SPPS also advises that housing should be located in sustainable locations that facilitate a high degree of integration with centres of employment, community services and public transport. Furthermore, all new housing developments should demonstrate a high quality of design, layout (including road infrastructure considerations) and landscaping.</p>
8.3	<p>Principle of Development Within the adopted BUAP, the site is located within the settlement development limit, has been zoned partially for housing and is located in a Housing Action Area. Housing Action Areas were designated within the BUAP (2001) to assist in the regeneration of old housing stock and in the delivery of new homes.</p>
8.4	<p>Under the provisions of dBMAP (2004), the site is located within the Settlement Development Limit, within a Commercial Node/Area of Car Parking Restraint and located next to an Arterial Route (Woodstock Road Ref: 3/10). Under the provisions of the BMAP (2015) the site is located adjacent to an Arterial Route (Ref: 02/09), within the Settlement Development Limit and is located within a Commercial Node/Area of Car Parking Restraint. Consideration must be given to the dBMAP Commercial Node designations. The associated policy text for these commercial nodes does not preclude residential development, and during the BMAP Inquiry, the PAC recommended amendment of dBMAP policy SETT4 to promote residential development as a means of regenerating arterial routes. This recommendation was carried through to Policy SETT 3 in BMAP (2015).</p>

8.5	The Plan aims to encourage restoration of the built frontage along Arterial Routes through the development of vacant gap sites and advises that in general terms, new development along these roads should have continuous frontages which maximise the opportunities to animate the street, should form an edge with the street and follow a common building line without major setbacks; should be of a robust and adaptable urban form; and Building height and massing should be appropriate to the scale of the street with higher densities of development within designated commercial nodes.
8.6	The existing uses on the site, which include a Used Car Sales and Car Wash/Valet Centre, do not currently provide a positive contribution to the urban design and character of the area, nor contribute to the attractiveness of Woodstock Road. The proposal will enhance the street at this location, through the introduction of a continuous built frontage and use more akin to the site's surrounding context, with an attractive 3.5 storey residential development which steps down to 2.5 storeys at the most sensitive locations adjacent to Pottinger Street and Castlereagh Place. The applicant has indicated that the units are for Social Housing. NIHE have advised that they are in support of the proposal.
8.7	In principle, a residential use is acceptable on the site subject to complying with prevailing planning policy.
8.8	<p>Design, layout and impact on the character and appearance of the area</p> <p>Policy QD1 of PPS 7 states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.</p>
8.9	The site is on a prominent corner on the arterial route and is presently occupied by a used car dealership, car wash and valet centre. The current built form reflects the commercial function of the premises however does not present a strong frontage on to the arterial route with the majority of the road frontage consisting of gaps punctuated by columns, access gates and metal railings/palisade fencing with cars parked behind; there is limited building frontage at the corner and on to Beersbridge Road. The existing commercial premises on the site is of limited architectural merit and its loss would not have a negative impact on the character of the area. The proposal presents an opportunity to introduce a robust built form with a continuous building frontage to animate the street regenerating the site with an appropriate housing scheme.
8.10	This application seeks permission to develop 31No. social housing units comprising 16No. apartments and 15No. townhouses. The development will contain a mix of 9x 3bed townhouses, 6x4 bed townhouses, 4x 2 bed wheelchair accessible apartments, 6x 2bed apartments and 6x 1 bed apartments. The units range from 40sqm to 110 sqm.
8.11	The proposal will provide an active, articulated façade fronting on to the Woodstock Road and Beersbridge Road. The development provides a continuous frontage onto both roads and generally respects established building lines. The scheme includes 2.5/3 storey townhouses houses along Woodstock Road, Beersbridge Road, and Pottinger Street, with the 3.5 storey apartment focal element of the scheme located on the corner between Woodstock Road and Beersbridge Road. The proposed “stepping down” arrangement, and uniform vertical window fenestration; alongside deep window reveals, assist somewhat in dissipating the overall height of the proposal, and reducing its perceived bulk and mass from the streetscape.
8.12	There are three different building heights ranging from 8.8m to 9.7m for the two and a half storey buildings to 12.1m for the highest three and a half storey building. The level of glazing;

	<p>alongside the slimline vertical dormers proposed at roof level also assist in providing natural surveillance and create visual interest to the scheme. Roof profiles are varied in the area including include flat roofs, single pitch, double pitch, hipped and mansard roofs. To reflect same, the design has carried forward a mix of these roof profiles to be a positive reflection of those currently seen in the streetscape. The design also includes deep recesses in the window reveals at each floor level, to aid articulation and break up the bulk of the proposal.</p>
8.13	<p>The height, scale and massing of the proposal is considered to be acceptable. It is considered the design will enhance the character and appearance of the wider area and will contribute to the regeneration of the lower Woodstock Road area.</p>
8.14	<p><u>Materials</u> The proposal includes a varied materials palette which is reflective of other developments within the immediate locality. The proposal includes a mix of red brick walls, grey roof tiles, UPVC rainwater gutters in grey and standing seam surrounds to dormer windows. The apartment element of the proposal also includes an aluminium standing seam roof at 3.5 storey level which adds interest and provides modern design aesthetic to the overall development. A Condition is recommended that final samples of materials to be used are agreed in advance of commencement.</p>
8.15	<p><u>Density</u> Densities in the wider area range from 70-200 dwellings per hectare. The proposed residential density equates to approximately 110 dwelling units per hectare (dph). The proposed density is in keeping with the character of the wider area and is considered acceptable.</p>
8.16	<p><u>Amenity Space Provision</u> The subject site is brownfield and located in a high-density inner-city area. Policy QD 1 of PPS 7; complemented by Creating Places, and DCAN 8 Guidance places great importance on respecting the surrounding context in terms of layout, scale, proportions, and landscaped areas. Taking this into account, the typical form, and characteristics of residential properties within the site's wider locality comprise of terraced properties with modest rear yards and the layout and garden areas of the proposed townhouses have gone some way to try and mimic this arrangement respecting the surrounding context. In carrying forward these arrangements, the townhouses benefit from an overall rear amenity provision of 606.2sqm, averaging at 40.41sqm per unit. As some rear garden spaces are smaller than others, ranging between 18.7 and 45.9sqm a condition has been recommended removing permitted development rights for extensions and outbuildings in order to protect the amenity of future occupants.</p>
8.17	<p>The proposed apartments will benefit from access to a private communal courtyard, supplemented by private balconies. The communal courtyard area for the apartments extends to 171 sqm, equating to an average of 10.6 sqm per apartment. Regarding the consideration of the proposal against Policy OS 2 of PPS 8, the policy states that an exception to the requirement of providing public open space will be permitted in the case of apartment developments or specialised housing where a reasonable level of private communal open space is being provided. An exception will also be considered in cases where residential development is designed to integrate with and make use of adjoining public open space. In response to the above, the proposal is for social housing providing a reasonable level of private communal space. The site is also located in close proximity to the City Centre; therefore, residents will be able to avail of a range of recreational areas/outlets across the City.</p>
8.18	<p>All the units, houses and apartments, avail of an element of private amenity in addition to the private rear communal courtyard for the apartments. The use of low level walls,</p>

	decorative gates and railings to enclose front gardens behind, along the front street elevations assists in offering a degree of privacy and defensible space to the houses and ground apartments articulating boundaries and maintaining a clear definition between the public and private realm.
8.19	<p><u>Space standards</u></p> <p>The proposed development includes a mix of 16No. apartments and 15No. townhouses. The units range from 40sqm to 110 sqm. Policy LC 1 of PPS 7 Addendum does not apply as the proposal is located along an arterial route, however the proposed units comply with the space standards in any case.</p>
8.20	<p><u>Landscaping</u></p> <p>The proposal has also been supported by a detailed boundary treatments plan, and landscape arrangement. The plans illustrate the various types of boundary treatments, and proposed planting between properties within the development, alongside identifying the open space areas within the proposal. Landscaping Conditions are recommended with respect to implementation and maintenance.</p>
8.21	<p><u>Waste Management</u></p> <p>The existing alleyway to the rear of the proposed townhouses is a right of way to which all future residents can avail to bring their bins to to the roadside for collection. The apartments will have access to a shared bin store area which will be enclosed by a brick wall and 1.8m high cladding and secured by a lockable gate. A bin store collection point has also been appropriately located adjacent to Pottinger Street. A Service Management Plan has been provided in support of the application. The arrangement is considered to be acceptable.</p>
8.22	Overall, the proposed development would not cause unacceptable harm to the local character, appearance and environmental quality of the area of the area in accordance with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Creating Places and the SPPS. With regards to amenity provision the proposal is also considered to meet the criteria set out under Policy OS2 of PPS 8 and satisfies criterion (c) of Policy QD 1 of PPS 7.
8.23	<p>Impact on Residential amenity</p> <p>Creating Places provides guidance that a separation distance of around 20m or greater between the opposing rear first floor windows of new houses is generally acceptable on green-field sites and in low-density developments and of around 10m between the rear of new houses and the common boundary. Consideration however may be given to a smaller separation distance in order to meet the overall quality objectives set out in the design concept for the development, or in cases where it is important to reflect traditional building forms in the locality. Where smaller separation distances are employed, the design should include mitigating measures to help promote privacy.</p>
8.24	Amendments to the design were sought by officers to overcome concerns relating to the impact on neighbouring and prospective tenants. The revised plans show a layout where there will be no significant overlooking into neighbouring properties. In addition, there is sufficient separation distances to existing neighbouring properties to ensure that dominance and overshadowing will not occur to an unacceptable degree. Neighbours had raised concerns with respect to amenity issues and have been given notification of the amended plans.
8.25	There will be no opportunity for overlooking into neighbouring properties from the houses proposed due to the separation distances and existing boundary treatments. The roofspace accommodation within the houses is served solely by a front dormer on 9 of the houses; the remaining 6 houses have a rear dormer to the roofspace however the design is narrow and

	linear in form with the main bedroom floorplate set significantly back. A 1.8m high fence is proposed at all common rear boundaries preventing any overlooking at ground floor level. Regarding existing residents, where there is a back to-back arrangement proposed between the townhouses and existing properties at Nos. 1-21 Pottinger Street, separation distances between the main rear dwelling walls range from 18.5 to 20 sqm in general accordance with guidance set out within Creating Places Guidance. The distance between the proposed main rear elevations and common boundary range from 8.4 to 15m.
8.26	The introduction of rear splayed oriel windows on the apartment block has been proposed to overcome overlooking concerns from the upper windows. Main bedroom windows at Apt Nos. 1; 4; 5; 8; 9; 13; and 16 have been splayed to avoid any overlooking of existing neighbouring properties on Pottinger Street. Whilst the proposed splayed windows on each floor face one another, it is the most appropriate solution as each window only permits a view of the opposite splay and not the main living space of the bedroom, reducing any negative internal overlooking impact.
8.27	As detailed above each of the units benefits from defensible space in the form of front gardens to the public realm. There is a common courtyard to the rear of the apartment block and a further design feature to reduce any negative amenity impact on prospective residents sees the addition of an area of defensible space to the rear of ground floor Apartment Nos. 1 and 4. This consists of an area of hedging.
8.28	The application has also been supported by a Noise Assessment, to demonstrate how any noise impacts arising from the proposal have been successfully mitigated. There are no concerns regarding the relationship between the proposal and the two households where the objections originated from (Nos 6 and 15 Pottinger Street) due to the separation distances.
8.29	In terms of prospective residents, each unit has adequate outlook to the public street or amenity areas. It is considered that the separation distances proposed are acceptable and will not unacceptably impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.
8.30	Given the sites inner urban context, and the development pattern in the immediate area it is considered that the distances are acceptable and the proposal would not result in an unacceptable loss of privacy or undue level of overlooking to existing and proposed occupiers. Overall, the proposed development would not cause unacceptable amenity impacts to existing or proposed residents and is in accordance with Policy QD1 of PPS7, Policy LC1 of PPS7 Addendum, Creating Places and the SPPS
8.31	Impact on Historic Buildings and Monuments A number of Listed Buildings protected by Section 80 of the Planning Act (NI) 2011 are located within the wider vicinity of the application site including Nettlefield Primary School (Ref: HB26/06/011), Mountpottinger Presbyterian Church and Hall (HB26/06/004) and Willowfield Parish Church of Ireland (HB26/04/003).
8.32	Section 91 requires that in considering whether to grant planning permission for development which affects a listed building or its setting a council 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.
8.33	HED acknowledge that the above referenced listed buildings are separated from the application site by existing street patterns and established urban development or road curvature and established urban development grain. Therefore, Historic Buildings consider that this application will not significantly affect the understanding or experience of the listed

	buildings to harm their essential character. HED considers the listed buildings are sufficiently removed in situation within the existing established developed environment to remain unaffected by this application.
8.34	The proposals are in accordance with the requirements of the Strategic Planning Policy Statement for Northern Ireland (SPPS) para(s) 6.12 of Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS6) Policy BH11 (Development affecting the Setting of a Listed Building).
8.35	HED (Historic Monuments) has assessed the application and on the basis of the information provided is content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.
8.36	Access and Parking The site is located in close proximity to the City Centre; therefore, residents will be able to avail of a range of recreational areas/outlets across the city. The proximity to these areas within the city is supported by various infrastructure, and sustainable modes of transport such as public transport corridors and cycle lanes.
8.37	To encourage future residents to avail of sustainable transport methods, the applicant has offered the following benefits through the development, which will be secured via a Section 76 Planning Agreement. These include the provision of 1no. Travel Card per residential unit for a period of 3no. years; provision of Belfast Bike membership per residential unit for a period of 3no. years; and provision of Car Club membership per residential unit for a period of 3no. years.
8.38	The car parking arrangement has 6No. spaces located within the lay by on Woodstock Road, two of which are accessible for persons with a disability, and 5No. within a lay by on Beersbridge Road. 22 no. covered cycle parking spaces are to be provided within the private courtyard to the rear of the apartment block.
8.39	DFI Roads have offered no objections to the proposal. It is considered the proposals comply with the policy provision of the SPPS, PPS7 and PPS3.
8.40	Drainage and Flood Risk / Infrastructure Capacity Rivers Agency provided comments on the proposal. They highlighted that FLD 3 Development and Surface Water is applicable. A Drainage Assessment has been submitted with this application. DfI Rivers offered no objection to the proposal and have recommended a condition to agree final drainage design. The proposal is therefore compliant with PPS 15.
8.41	NI Water in their most recent consultation response advise that there is available capacity in the Waste Water Treatment Works, there is a public foul sewer located within 20m of the proposed development boundary which can serve the development and there is no public surface water sewer within 20m of the proposed development boundary however access is available via extension of the existing public surface water network. NIW have advised that the Developer has worked with them in implementing the Solution engineering report requirements, Engineering report DS37870, a solution has been agreed between the developer and NI Water, an A154 Requisition will be completed to offset storm from the combined sewer. The condition from NI Water being there is to be no connection to the WWTW until July 2023. Whilst the consultation response recommends refusal NIW have confirmed to Officers that they are content for a negative condition to be recommended as part of any approval.
8.42	Environmental Health

8.43	<p>EHO provided comment in relation to the proposed development in terms of noise, air pollution, ambient air quality, contaminated land and other considerations. EHO have offered no objections in terms of impact on human health. Conditions relating to noise, air quality, construction management and contamination have been suggested.</p> <p>DAERA Water Management Unit and Regulation Unit have also considered Contamination Assessments submitted and are content that no unacceptable risks have been identified on environmental receptors. Conditions are recommended.</p>
10.0	Summary of Recommendation:
10.1	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to subject to no new substantive planning issues being raised by third parties. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the planning conditions and Section 76 Agreement.</p>
11.0	Conditions
	<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>2: No dwelling shall be occupied until related hard surfaced areas (lay-by provision) have been constructed in accordance with the approved Drawing No. IBH 0755/1000 Rev C as published to the Planning Portal on 31/05/2022 to provide adequate facilities for parking. These spaces shall be permanently retained.</p> <p>Reason: To ensure adequate parking in the interests of road safety and the convenience of road users.</p> <p>3: The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No:IBH 0755/1000 Rev C bearing the Department for Infrastructure Determination date stamp 20/6/22.</p> <p>Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>4: The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>No part of the development hereby permitted shall be occupied until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No:IBH 0755/1000 Rev C bearing the date stamp 20/6/22. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).</p> <p>Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.</p>

5: All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of Department for Infrastructure.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

6: The development shall operate in accordance with the Travel Plan Version F02 as published to the Planning Portal on 15/04/2022.

Reason: To encourage alternative modes of transport to the private car.

7: No apartment shall be occupied until weather protected cycle parking has been fully provided in accordance with Approved Site Plan Drawing 100-03 as published to the planning portal on 13/09/2022.

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

8: All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 2 and 3 will apply.

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

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

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

10. After completing the remediation works under Condition 10, 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/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

11. 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.

12: Prior to the commencement of development hereby approved, the applicant shall submit a Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, to be agreed with the Council which demonstrates 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.

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.

13: Prior to the occupation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RSK Ireland Ltd report entitled 'Prometheus no 1 Ltd, Remediation Strategy, Lands at Woodstock Road, Belfast, 603512-R2 (01), June 2022' have been implemented. The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential with homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. In particular, this Verification Report must demonstrate that:

- a) A minimum 800mm capping layer has been emplaced in all garden areas formed from material that is demonstrably suitable for use (residential with homegrown produce).
- b) A minimum 500mm capping layer has been emplaced in all landscaped areas formed from material that is demonstrably suitable for use (residential with homegrown produce).
- c) Vapour protection measures have been installed in the properties shown in Figure 4 of the Remediation Strategy report incorporating:

- A vapour resistant membrane which meets the requirements of CIRIA C748.
- A passive sub floor dispersal layer consisting of a 150mm open void space.

Vapour protection measures shall be installed and verified in accordance with the requirements of CIRIA C735 and C748.

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

14: 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. 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.

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

15: Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, the final window schedule detailing the sound reduction performance of the proposed windows to habitable rooms on all facades of the hereby permitted development. The window specifications shall be as detailed in Figure G '*Identification of Window and Ventilation System Sound Reduction Requirements, and 1.5 metre High Acoustic Barriers*' and section 4.3 of the Lester Acoustics Inward Sound Level Impact Assessment (dated 27th January 2022, referenced MRL/1517/L01 Rev 2).

Reason: Protection of residential amenity

16: Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, confirmation of the specification of alternative means of ventilation as recommended in section 4.3 of the Lester Acoustics Inward Sound Level Impact Assessment (dated 27th January 2022, referenced MRL/1517/L01 Rev 2). The sound reduction specification (dBD_{n,e} +Ctr) for the alternative means of ventilation shall be the same as or greater than the sound reduction specification for the windows of each façade to ensure suitable internal noise levels of habitable rooms outlined in British Standard BS8233:2014 are achieved with the windows shut and the alternative means of ventilation operating.

Reason: Protection of residential amenity

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

Reason: Protection of residential amenity

18: Prior to occupation of the hereby permitted development, the developer shall verify that the window schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.

Reason: Protection of residential amenity

19: Prior to occupation, the roof construction to the hereby permitted development, where window/ventilation requirements are 35dB R_{Tra} (or R_w + C_{tr}) or greater, shall incorporate an additional two layers of 15mm thick dense plasterboard with at least 75mm thickness of acoustically absorbent material within a minimum 100mm void between the plasterboard and roof structure, as per section 4.3.9 of the Lester Acoustics Inward Sound Level Impact Assessment (dated 27th January 2022, referenced MRL/1517/L01 Rev 2).

Reason: Protection of residential amenity

20: Prior to occupation of the hereby permitted development, the amenity areas to the West and North end gardens shall incorporate a 1.5m high acoustic barrier with no gaps, and a minimum surface weight of 10kg/m² as detailed in section 4.4.6 and Figure I, and as per locations identified on Figure G of the Lester Acoustics Inward Sound Level Impact Assessment (dated 27th January 2022, referenced MRL/1517/L01 Rev 2).

Reason: Protection of residential amenity

<p>21: No passive or trickle vents are to be incorporated into the window system/s of the hereby permitted development.</p> <p>Reason: Protection of residential amenity</p> <p>22: Prior to operation, the installed gas fired boilers for the proposed development shall meet the technical specification as detailed within the Air Quality Technical Note (Chapter 4.2 and Appendix A, Air Quality Technical Note, RPS, January 2022).</p> <p>Reason: Protection of human health</p> <p>23: Prior to commencement of development on site, including demolition, site clearance or site preparation, a Construction Environmental Management Plan (CEMP) shall be produced by the appointed contractor. The CEMP shall include measures to control noise, dust and vibration during the demolition /construction phase, demonstrating the use of 'best practicable means'. The CEMP shall include rationale for and details of the chosen piling methodology and demonstrate that noise and vibration levels will not have an adverse impact on nearby premises. The CEMP must incorporate the dust mitigation measures as detailed within Chapter 5 of the RPS report entitled 'Air Quality Technical Note, Proposed Residential Development, Woodstock Road, Belfast', referenced NI 2490, dated January 2022.</p> <p>The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit of Belfast City Council at any time upon request.</p> <p>Reason: Protection of surrounding amenity</p> <p>24. The development hereby approved shall not be occupied until the units hereby granted have obtained NI Water consent to connect to the foul and storm water system.</p> <p>Reason: In the interests of the environment.</p> <p>25: No external brick facing shall be constructed or applied unless in accordance with details and a sample panel, which shall have first been constructed on site and approved in writing by the City Council.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external brick facing materials.</p> <p>The approved sample panel shall be retained on site and made available for inspection by the City Council for the duration of the construction works.</p> <p>Reason: In the interests of the character and appearance of the area.</p> <p>26: Notwithstanding the provisions of Article 3, Part 1, Classes A ,B, C and D of The Planning (General Permitted Development) Order Northern Ireland 2015 (or any orders amending or re-enacting that Order with or without modification) no extension, enlargement or other alteration of the dwelling house or the provision of any other building within its curtilage other</p>

than that expressly authorised by this permission shall be carried out without planning permission being first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of nearby properties and future occupants and the character of the area and for this reason would wish to control any future development.

27: All hard and soft landscaping shall be carried out in accordance with the approved details as shown on the approved Site plan as published to the Planning Portal on 13/09/2022. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the City Council and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the City Council.

Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the area.

28: No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

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

29. Prior to the occupation of the development hereby permitted, the bin store facilities shall be provided in accordance with the approved plans and shall be made available and thereafter be retained for use at all times.

Reason: In the interests of amenity and to ensure the provision of satisfactory facilities for the storage and recycling of refuse in the interests of the amenities of the area.

ANNEX	
Date Valid	28th January 2022
Date First Advertised	18th February 2022
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Pottinger Street,Belfast,Down,BT5 4LZ</p> <p>The Owner/Occupier, 11 Pottinger Street,Belfast,Down,BT5 4LZ</p> <p>The Owner/Occupier, 13 Pottinger Street,Belfast,Down,BT5 4LZ</p> <p>The Owner/Occupier, 15 Pottinger Street,Belfast,Down,BT5 4LZ Pippa Cooke and Chris Moore 15, Pottinger Street, Belfast, Down, Northern Ireland, BT5 4LZ</p> <p>The Owner/Occupier, 17 Pottinger Street,Belfast,Down,BT5 4LZ</p> <p>The Owner/Occupier, 172 Woodstock Road,Belfast,Down,</p> <p>The Owner/Occupier, 174 Woodstock Road,Belfast,Down,BT6 8AF</p> <p>The Owner/Occupier, 175 Woodstock Road,Belfast,Down,BT6 8AD</p> <p>The Owner/Occupier, 176 Woodstock Road,Belfast,Down,BT6 8AF</p> <p>The Owner/Occupier, 176 Woodstock Road,Belfast,Down,BT6 8AF</p> <p>The Owner/Occupier, 176 Woodstock Road,Belfast,Down,BT6 8AG</p> <p>The Owner/Occupier, 177 Woodstock Road,Belfast,Down,BT6 8AD</p> <p>The Owner/Occupier, 179 Woodstock Road,Belfast,Down,BT6 8AD</p> <p>The Owner/Occupier, 181 Woodstock Road,Belfast,Down,BT6 8AD</p> <p>The Owner/Occupier, 183 Woodstock Road,Belfast,Down,BT6 8AD</p> <p>The Owner/Occupier, 185 Woodstock Road,Belfast,Down,BT6 8AD</p> <p>The Owner/Occupier, 187 Woodstock Road,Belfast,Down,BT6 8AD</p>	

The Owner/Occupier,
189 Woodstock Road,Belfast,Down,BT6 8AD
The Owner/Occupier,
19 Pottinger Street,Belfast,Down,BT5 4LZ
The Owner/Occupier,
191 Woodstock Road,Belfast,Down,BT6 8AD
The Owner/Occupier,
192 Woodstock Road,Belfast,Down,BT6 8AG
The Owner/Occupier,
197 Woodstock Road,Belfast,Down,BT6 8AD
The Owner/Occupier,
199 Woodstock Road,Belfast,Down,BT6 8AD
The Owner/Occupier,
2 Pottinger Street,Belfast,Down,BT5 4LZ
The Owner/Occupier,
2-20 ,Beersbridge Road,Belfast,Down,BT5 4BF
The Owner/Occupier,
203 Woodstock Road,Belfast,Down,BT6 8AD
The Owner/Occupier,
21 Pottinger Street,Belfast,Down,BT5 4LZ
The Owner/Occupier,
216 Woodstock Road,Belfast,Down,BT6 9DL
The Owner/Occupier,
26 Upper Frank Street,Belfast,Down,BT5 4NR
The Owner/Occupier,
3 Beersbridge Road,Belfast,Down,BT5 4RP
The Owner/Occupier,
3 Pottinger Street,Belfast,Down,BT5 4LZ
The Owner/Occupier,
4 Pottinger Street,Belfast,Down,BT5 4LZ
The Owner/Occupier,
40 Beersbridge Road,Belfast,Down,BT5 4RU
The Owner/Occupier,
42 Castlereagh Place,Belfast,Down,BT5 4NN
The Owner/Occupier,
5 Beersbridge Road,Belfast,Down,BT5 4RP
The Owner/Occupier,
5 Pottinger Street,Belfast,Down,BT5 4LZ
The Owner/Occupier,
53 Castlereagh Place,Belfast,Down,BT5 4NN
The Owner/Occupier,
55 Castlereagh Place,Belfast,Down,BT5 4NN
The Owner/Occupier,
57 Castlereagh Place,Belfast,Down,
The Owner/Occupier,
6 Pottinger Street,Belfast,Down,BT5 4LZ
Mary Cooke
6, Pottinger Street, Belfast, Down, Northern Ireland, BT5 4LZ
The Owner/Occupier,
7 Beersbridge Road,Belfast,Down,BT5 4RP

<p>The Owner/Occupier, 7 Pottinger Street,Belfast,Down,BT5 4LZ The Owner/Occupier, 9 Pottinger Street,Belfast,Down,BT5 4LZ The Owner/Occupier, Apartment 1,174 Woodstock Road,Belfast,Down, The Owner/Occupier, Apartment 1,42 Castlereagh Place,Belfast,Down,BT5 4NN The Owner/Occupier, Apartment 2,174 Woodstock Road,Belfast,Down, The Owner/Occupier, Apartment 2,42 Castlereagh Place,Belfast,Down,BT5 4NN</p>	
Date of Last Neighbour Notification	September 2022
Date of EIA Determination	
ES Requested	No
Drawing Numbers and Title	
<p>01 Site Location Plan - published to the Planning Portal on 07/02/2022 05 Proposed Boundary Treatments - published to the Planning Portal on 07/02/2022 Proposed Bin Store Elevations(Dwg.No 100-06)- published to the Planning Portal on 16/05/2022 Proposed PSD Layout Rev C A1 - published to the Planning Portal on 31/05/2022 1843-01-100-03I Proposed Site Plan-published to the Planning Portal on 13/09/2022 1843-01-300-01C Proposed Elevations Sheet 01-published to the Planning Portal on 13/09/2022 1843-01-300-02F Proposed Elevations Sheet 02-published to the Planning Portal on 13/09/2022 1843-01-200-00G Proposed Ground Floor Plan -published to the Planning Portal on 13/09/2022 1843-01-200-02D Proposed Second Floor Plan -published to the Planning Portal on 13/09/2022 1843-01-200-01D Proposed First Floor Plan -published to the Planning Portal on 13/09/2022 1843-01-200-03D Proposed Third Floor Plan -published to the Planning Portal on 13/09/2022</p>	
Notification to Department (if relevant)	
<p>Date of Notification to Department: Response of Department:</p>	