

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 29 June 2023	
Application ID: LA04/2022/2059/F	Target Date:
Proposal: Proposed Social Housing Development Comprising of 12 no. 3p/2b semi-detached dwelling houses with in curtilage parking and associated site works. (Amended description and site location plan)	Location: Lands south of 56 Highcairn Drive Belfast BT13 3RU, Site located at junction between Highcairn Drive and Dunboyne Park Belfast.
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval	
Applicant Name and Address: Ross Mullan Consulting Ltd 12 Lyndhurst Parade Belfast BT13 3PB	Agent Name and Address: The Boyd Partnership LLP 15 Ravenhill Road Belfast BT6 8DN
<p>Executive Summary: This application seeks full planning permission for a proposed social housing development comprising of 12no. 3p/2b semi-detached dwelling houses with in-curtilage parking and associated site works.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and Housing Mix • Accessible and adaptable accommodation • Design, layout and impact on the character and appearance of the area • Climate change • Access and parking • Drainage • Waste-water infrastructure • Ecological Impacts • Noise, odour, and other environmental impacts including contamination <p>Delegated authority is requested for resolving any issues arising from outstanding consultation responses from DfI Roads and DfI Rivers.</p> <p>Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. Having considered all the matters as set out in the report below, there is a clear and pressing unmet social need in the local area, therefore, it is considered, on balance, that the proposed scheme can be considered an exception to the provisions of Policy OS1 of the Plan Strategy 2023, subject to Section 76 Agreement to secure the provision of social housing. It is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and the Section 76 Planning Agreement.</p>	

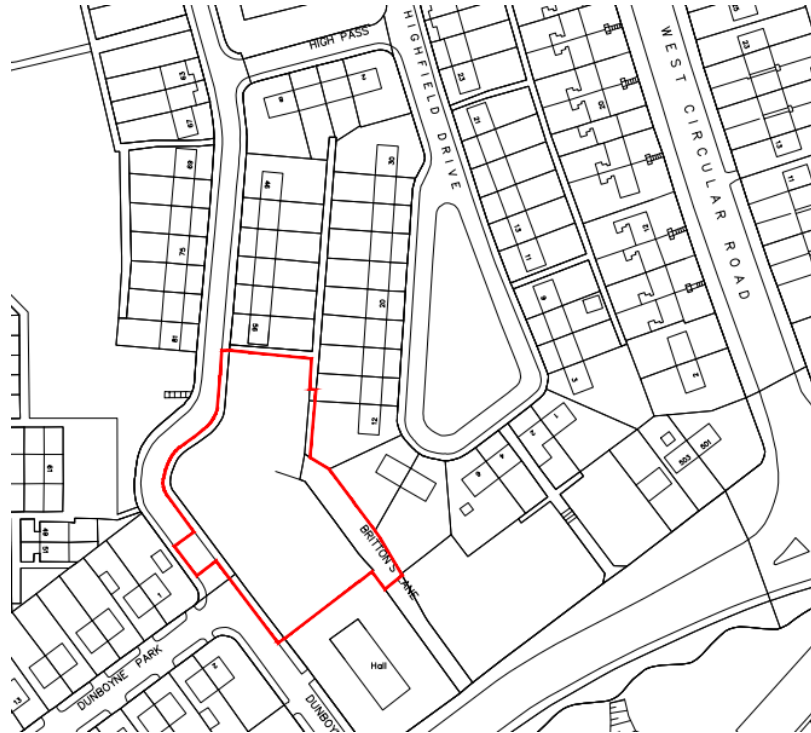
Officer Report

1.0

Drawings

1.1

Fig 1.Site Location Plan



1.2

Fig 2. Proposed site Layout



2.0	Characteristics of the Site and Area
2.1	The site is situated on Highcairn Drive, Belfast, approximately 3km to the West of Belfast City Centre. It is located off the Springfield Road and is bordered on the eastern, western and northern boundaries by residential areas and to the south by an orange wall. The site has a steep sloping topography falling 5m from the North-West to South-East. It is 0.2531 ha of currently vacant lands with 93.6m existing road frontage along Highcairn Road, which is how the site is accessed. The boundary is a 2m high railing to the North-East, North-West and the South. A portion of the southern part of the site currently has no physical boundary.
2.2	The area around Highcairn Drive is an area of established residential development, consisting of a mix of semi-detached and terraced housing. There are two retail parks within cross proximity on the Springfield Road. There are some neighbourhood services in the nearby areas. Other land uses within a 500m radius include retail, recreational and educational facilities.
3.0	Description of Proposal
3.1	Proposed Social Housing Development Comprising of 12 no. 3p/2b semi-detached dwelling houses with in-curtilage parking and associated site works.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History
4.6	No relevant planning history.
5.0	Consultations and Representations Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.
5.1	Statutory Consultations Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy. DfI Roads – Outstanding DfI Rivers – Outstanding NI Water – Refusal DAERA NIEA – Content subject to conditions

5.2	<p>Non-Statutory Consultations BCC Environmental Health – Content subject to conditions BCC Plans & Policy team – Advice provided Shared Environmental Services (SES) – Content subject to conditions NIHE – In support of the application</p> <p>Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>
5.3	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received the following representations in support and objection.</p> <p>Objections: 1 The objection received is in relation to a loss of privacy and loss of existing green areas. These matters will be addressed in the report below.</p> <p>Unless stated above, these representations are addressed in the main report.</p>
6.0	<p>PLANNING ASSESSMENT</p>
6.1	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p> <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>

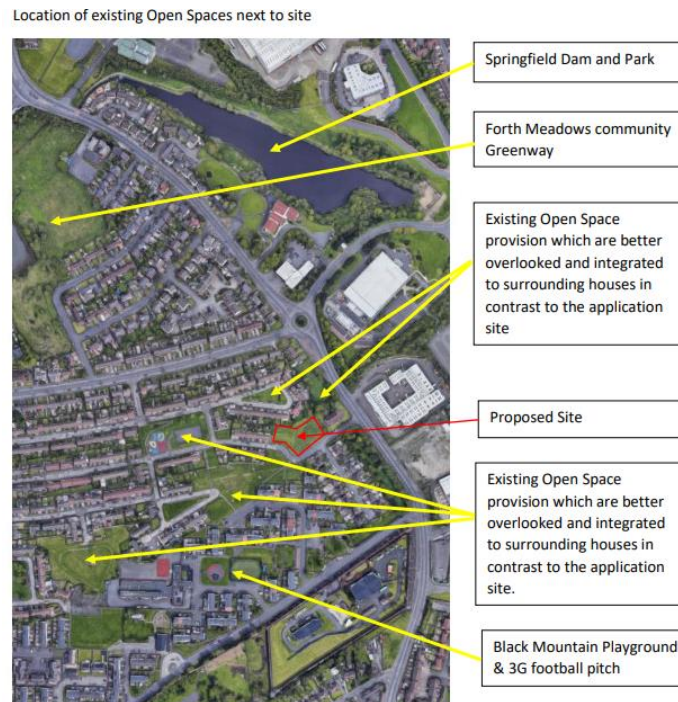
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU1 – Accommodating new homes • Policy HOU2 – Windfall housing • Policy HOU4 – Density of residential development • Policy HOU5 – Affordable housing • Policy HOU6 – Housing mix • Policy HOU7 – Adaptable and accessible accommodation • Policy DES1 – Principles of urban design • Policy RD1 – New residential developments • Policy TRAN6 – Access to public roads • Policy TRAN8 – Car parking and servicing arrangements • Policy TRAN10 – Design of car parking • Policy ENV1 – Environmental quality • Policy ENV2 – Mitigating environmental change • Policy ENV3 – Adapting to environmental change • Policy ENV5 – SuDS • Policy GB1 – Green and blue infrastructure network • Policy OS1 – Protection of Open Space • Policy OS3 – Ancillary open space • Policy NH1 – Protection of natural heritage resources • Policy TRE1 – Trees
6.7	<p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Additional information • Principle of development • Affordable housing and Housing Mix • Design, layout and impact on the character and appearance of the area • Climate change • Accessible and adaptable accommodation • Access and parking • Drainage • Waste-water infrastructure • Ecological Impacts • Noise, odour and other environmental impacts including contamination <p>The adoption of the Plan Strategy requires the following updated assessment.</p>
6.8	<p><u>Additional Information</u></p>
6.9	<p>Officers requested that the applicant provided a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p>

6.10	The Planning Service's Plans and Policy team has been consulted on the applicant's Plan Strategy and have provided advice. No further consultations have been considered necessary following adoption of the Plan Strategy.
6.11	<p><u>Principle of development</u></p> <p>The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below. The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in Belfast City. Policy HOU2, Windfall Housing is also met as the proposal is situated on previously developed land and is currently white land within the BMAP 2004 and 2015 versions.</p>
6.12	Part of the site (NIHE lands) appears to form part of the amenity greenspace for the existing housing development. It has been maintained as amenity grassland and evidence shows previous environmental improvement through tree planting. Whilst the tree planting has been removed, the NIHE portion of the site is clearly open space. With regards to the other portion of the site (Orange Hall Lands), whilst not appearing to have been maintained, it is considered to be open space as defined in the Plan Strategy 2035 (PS 2035) , 'all open space and ancillary facilities of recreational, amenity or environmental value, including land and water bodies, irrespective of ownership or access. This includes a wide range of types of open space, such as amenity open space, natural and semi-natural spaces, ...etc.
6.13	The current protection of the site under Policy OS1 of the PS 2035 is a key consideration in the assessment of the principle of development.
6.14	<p><u>Loss of Open Space</u></p> <p>Within the LDP Plan Strategy 2035 the proposed site falls under the definition of open space as highlighted above.</p>
6.15	Policy OS1 of the Plan Strategy 2035 states that development resulting in a loss of open space will only be considered in exceptional circumstances where it is clearly shown that redevelopment will bring substantial community benefits that decisively outweigh the loss of open space.
6.16	The applicant submitted justification for the loss of open space and has detailed the following information in support of the application. The application site has been registered by NB Housing and is included in the NIHE 2023-2024 social housing programme. This scheme is for 12 units which will help alleviate the existing shortfall in social housing provision in the local area. This has been backed up through consultation with NIHE who has confirmed there is a need for this type of housing and units within the Ballygomartin area.
6.17	Households in 'stress' are determined by a 'points-base' assessment and includes applicants with insecurity of tenure, who live in poor housing conditions, are subject overcrowding, have been or continue to be subject to intimidation or are affected by poor health and social well-being. The scheme will provide a substantial area-specific community benefit by providing housing for vulnerable applicants assessed to be living in housing stress in the local area. The housing mix and Number of units proposed in the scheme has been specifically designed to address the live housing need for this area. The Department for Communities requires NB Housing (Housing Association) to apply a social clause when awarding a contract for the construction phase of the project, this will in turn provide community benefits to local unemployed people as they will be given the opportunity of apprenticeship for the duration of the building works.

6.18

The applicant has provided a map (fig 3) showing the existing pockets of open space within the area, within walking distance from the proposed site.

Fig 3.



6.19

The above map clearly demonstrates that there is a high level of open space within the vicinity of the proposed development. The applicant states that there are further areas of open space as shown above, located immediately adjacent to the site which are better overlooked, and more usable than the application site. They have also stated that the construction of the site will enhance the character of the area by introducing additional life and activity in an established residential area. There will be an element of open space within the proposed development which equates to approximately 235.63 sqm. This falls short of the expected 10% of the total site area as set out in OS3. However, there is ample private amenity space and an area of large open space directly to the front of the proposed site. Having considered the above, the provision of open space is acceptable under policy OS3 of the Plan Strategy 2035

6.20

Having considered all the matters as set out above there is a clear and pressing unmet social need in the local area, therefore, it is considered, on balance, that the proposed scheme can be considered an exception to the provisions of Policy OS1 of the Plan Strategy 2023, subject to Section 76 Agreement to secure the provision of social housing.

Design, layout and impact on the character and appearance of the area

6.21

The proposed development, by reason of its form, scale, layout, design and materials, is in keeping with the site and its surrounding area. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:

- a. *Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:*

The site is in a primarily residential area and the proposed layout will not conflict with the established uses in the surrounding area. There is a total of 12 social housing units comprising of 3person/2bed accommodation. The dwellings are two storey and are in keeping with the surrounding housing units. The proposed finishes are to consist of grey/black coloured roofs with red facing brick and smooth render (colour white) indicated on elevation drawings, which is in keeping with the

	<p>surrounding area. The finishes reflect that of the surrounding area and offer a more modern and contemporary approach to the traditional built form. The proposed development will be enhanced by quality hard and soft landscaping around the buildings.</p> <p>The site has a steep sloping topography falling 5m from the North-West to South-East. There have been elements of infilling to ensure there is a gentler topography to create usable amenity space in the rear gardens. There is an existing retaining wall with the boundary at Highfield Drive, and the applicant has proposed tree planting to soften the landscape between both residential areas. It is considered that the overall design, scale and massing will not create conflict with adjacent land uses. The proposal will create a quality residential environment that creates an attractive, locally distinctive and appropriate design in relation to the surrounding area.</p>
6.22	<p><i>b. Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:</i> The layout/aspect of all buildings within the site is such that there will be no significant overlooking into neighbour properties. There is a separation distance of approximately 14.06m from the rear gardens of the proposed houses to the north of the site and those dwellings situated in Highfield Drive. The separation distance increases where the proposed dwellings fall to the south-east of the site in relation to the dwellings in Highfield Drive. The separation distance is considered acceptable and in keeping with the guidance in Creating Places. There is also a similar separation distance between the existing properties located at Highcairn Drive and Highfield Drive. The separation distance will ensure that dominance and overshadowing will not occur to an acceptable degree. There will be no opportunity for overlooking into neighbouring properties.</p>
6.23	<p><i>c. Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure</i> The development site is approximately 300m from Metro Bus Links that are situated on the Springfield Road in either direction. The bus links form connections to all areas beyond the city centre. Translink Metro Route 10 service the development site in either direction and there is also easy access to Black Taxis and Private Hire Taxis. The surrounding area does not provide adequate cycling infrastructure, however there is accessibility to bus lanes to cycle to destinations within the city</p>
6.24	<p><i>d. Provides adequate open space:</i> The proposed units benefit from the provision of private rear amenity space bound by a 2m close boarded fence and an area of private amenity space to the front bound by a 1m metal railing. The rear gardens are between 40-67 sqm in size, this level of provision is in accordance with the standards set out in the Creating Places guidance document.</p>
6.25	<p><i>e. Keeps hard surfacing to a minimum</i> Car parking is considered to not dominate the residential development as there is space for 1 vehicle per dwelling. This allows for an abundance of green open and private amenity space for future residents.</p>
6.26	<p><i>f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.</i> The proposed scheme is in keeping with the space standards as set out in appendix C. The proposal consists of 3-person/ 2-bedroom two storey dwellings which are required to be 70sqm. The dwellings are between 70-75sqm in size.</p>

6.27	<p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i> The entrances to the properties are from the main street and allow for natural surveillance of the street scene. Each property is safe and secured with a 1m tall metal railing to the front of the site to create more sense of a secure environment for future residents.</p>
6.28	<p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i> All three of the house types provide ample light through to living rooms, bedrooms and kitchens.</p>
	<p>Further to policy RD1, the proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.</p>
6.29	<p><u>Climate change</u></p> <p>The proposal maximises opportunities to incorporate sustainable design features where feasible. The applicant submitted a Climate Change Compliance Statement outlining the following features:</p> <ul style="list-style-type: none"> • Energy Efficiency Standards- all dwelling houses in this scheme will be designed to meet the Energy Efficiency standards which promotes energy conservation/efficiency sustainability an ease of maintenance. All dwellings will include triple glazed windows, timber frame construction with energy efficient fabric insulation, PV Panels, air permeability of 3 or less, passive ventilation (PIV) to comply with relevant section of Building Regulations. • Site Layout- The layout and orientation of the proposed dwellings will optimise solar gains and energy efficiency (i.e. roof pitch fronting south and south-west aspect). • The proposed scheme will aim to use responsible sourced materials with accreditations to promote lower carbon footprint and sustainable manufacturing processes. • The proposed scheme design will incorporate rainwater attenuation systems designed to reduce and store surface water runoff from the site in accordance with NI Water approval. • There will be additional tree planting across the site which will help to promote biodiversity on the site and create a positive ecological enhancement in terms of health and well-being but equally in relation to Climate Change.
6.30	<p>The proposal is compliant to Policy ENV 2- Mitigating Environmental Change in that ENV 2 in that it demonstrates opportunities to incorporate sustainable design features where feasible such as orientating buildings to optimise solar gain and energy efficiency. It is considered that the proposal incorporates measures to adapt to environmental change including part d and h of Policy ENV3 of the Plan Strategy.</p>
6.31	<p>Furthermore, the additional tree planting represents a net gain of 26 additional trees, further ability for the proposal to mitigate and adapt to climate change and complying with Policy TRE1.</p>
6.32	<p><u>Affordable housing and Housing Mix</u></p>
6.33	<p>HOU5- Affordable Housing of the of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing. All 12 of the proposed dwellings will be provided as affordable housing (100% provision). An</p>

6.34	<p>email sent from the NIHE confirmed that there is social need for affordable housing within the Ballygomartin area.</p> <p>However, Policy HOU5 requires that affordable housing should contain a mix of social rented housing/ and or intermediate housing. A consultation response was received from the BCC Policy Team outlining that the Affordable and housing mix SPG recognises at section 3.2.1 that a small-scale development involving 100% social housing may be deemed to meet the requirements of Policy HOU5 where an identified need is addressed and the proposal is able to contribute towards balanced communities and paragraph 4.4.11 notes that 'proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances'. Section 4.4.14 continues to state that whether a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by case basis using the following factors:</p> <ul style="list-style-type: none"> - The level of social housing need in the vicinity of the site and the availability of land to address such needs; - The wider tenure and characteristics of and are, in order to minimise large areas of single tenure social housing; and - Whether a scheme is proposed as 'sharing housing'
6.35	<p>NIHE have confirmed a need for 2 bed social housing in this location based on the waiting list as it December 2022 in an email dated 26 April 2023 and are generally supportive of the proposal. Although there does appear to be other land available in the general area, the surrounding area is not dominated by social housing. The scheme is not proposed as a 'sharing housing' scheme. Given this context, a relatively small single tenure development, on balance, is deemed acceptable in this location.</p>
6.36	<p>With regards to housing mix, the proposal comprises a total of 12 residential units, including 3 persons/ 2-bedroom semidetached dwellings, ranging from 70-75 sqm per dwelling. This meets the space standards as set out in Appendix C of the Plan Strategy. The proposed housing mix has been informed by an analysis of the prevailing housing need in the area. Support for the proposed housing mix has been confirmed by NIHE for social housing in both a letter from NB Housing and an email from NIHE stating that there is a need for two-bedroom houses in the area. Therefore, the housing mix is considered acceptable having regard to policy HOU6 of the Plan Strategy 2035.</p>
6.37	<p>Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements. Although not yet formally defined, the site is likely to fall within the Outer Belfast settlement, /character area, so the average density band (in dwellings per hectare) should be between 25-125. The development proposed 12 units on a site of 0.235ha, which gives a density of approximately 47dph, which falls within the relevant density parameters, therefore the proposal is compliant to Policy HOU4.</p>
6.38	<p><u>Adaptable and Accessible Housing</u></p> <p>Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible. The applicant has not provided evidence that the scheme will provide sufficient wheelchair accessible units.</p>
6.39	<p>However, the applicant has stated that the dwellings as designed will meet with the Lifetime Homes requirements and specific Housing Association Guidance. Lifetime Homes is a</p>

	<p>standard which requires all new homes to be designed in a flexible way to ensure housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. The scheme does not include any dedicated wheelchair dwellings and demand was not confirmed by NIHE that there was a need for such housing provision in the area. However, through the Lifetime Home Standards there is flexibility and adaptability to allow for future wheelchair provision to be accommodated within the envelope of the dwelling. Based on the information provided and a consultation response from BCC LDP team, we are content, that on balance the scheme satisfies the accessibility requirements of Policy HOU7 and the current social housing need which is evident from NIHE for homes of this tenure. The applicant has clearly outlined potential, when necessary, to provide wheelchair accessible homes in the future through modifications.</p>
6.40	<p><u>Access, movement, and parking</u> Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and resolve any matters arising from the outstanding consultation response from DfI Roads in the event this is not received prior to Committee.</p> <p>Parking standards – outstanding comments from DfI Roads but delegated authority is sought allow the resolution of any technical issues arising.</p>
6.41	<p><u>Drainage</u> Delegated authority is also sought for the Director of Planning and Building Control to finalise the conditions and resolve any matters arising from the outstanding consultation response from DfI Rivers in the event this is not received prior to Committee.</p>
6.42	<p><u>Waste-water infrastructure</u> NI Water has objected to the proposal on grounds of insufficient capacity at the local wastewater treatment plant. It advises 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 clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect 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. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.</p>
6.43	<p><u>Ecological Impacts</u> 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 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 may need to consult SES and ask them to undertake a HRA Appropriate</p>

6.44	<p>Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.</p> <p>In this case, it is considered that there would be clear intensification of the existing use of the site. Accordingly, it has been necessary to consult SES and DAERA. SES has advised following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, that 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. This conclusion is subject to mitigation in the form of a planning condition to prevent commencement of development until the method of sewage disposal has been agreed with NI Water.</p> <p>Shared Environmental Services, DAERA Environment, Marine and Fisheries Group & NIEA has advised they have no objection to the proposal. Having regard to this advice, it is considered necessary to impose a condition to require details of foul drainage to be agreed prior to commencement of development. Subject to this condition, the proposal is considered compliant with Policy NH1 Protection of natural heritage resources and Policy ENV1 Environmental quality and the relevant provisions of the Strategic Planning Policy Statement.</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, should adopt the HRA report, and conclusions therein, prepared by Shared Environmental Service, 21st February 2023. This found that the project would not have an adverse effect on the integrity of any European site subject to imposition of the foul drainage condition.</p> <p>The Natural Environment Division (NED) were consulted and are content that the proposal is unlikely to significantly impact NI Priority/protected species or habitats.</p> <p><u>Noise, odour and other environmental impacts including Contamination</u></p> <p>The proposed site for social housing has been assessed by Environmental Health. They have stated that the Preliminary Risk Assessment identified potential on-site sources of contamination. Through discussions with Environmental Health and the applicant, the service has requested that any sources of contamination are dealt with by way of negative conditions, meaning that no development shall commence on site until an updated PRA, QRA, further investigation, laboratory analysis and risk assessment would be undertaken and submitted for approval by the Council. Conditions relating to contamination will be attached to an approved scheme. With regards to noise, Environmental Health have conditioned the glazing systems and ventilation of habitable rooms to protect residential amenity. There were no concerns raised relating to general amenity and odour.</p>
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. Having considered all the matters as set out above there is a clear and pressing unmet social need in the local area, therefore, it is considered, on balance, that the proposed scheme can be considered an exception to the provisions of Policy OS1 of the Plan Strategy 2023, subject to Section 76 Agreement to secure the provision of social housing.
7.2	It is recommended that planning permission is granted subject to conditions.
7.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the condition, the section 76 planning agreement s and deal with any other matters which may arise.

DRAFT CONDITIONS:

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

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

2. No development shall commence (other than site clearance, enabling works or works to fulfil this condition) until an updated Contaminated Land Risk Assessment has been submitted to and approved in writing by the Council. The assessment shall follow best practice and in the first instance contain the following information:

- A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.
- A satisfactory assessment of the risks (including an updated Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under methodology outlined in BS8485:2015+A1:2019 and CIRIA C665.

Should the Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then a Remediation Strategy shall be submitted. The Remediation Strategy 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.

3. In the event that a Remediation Strategy is required, prior to occupation or 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 the 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 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

4. If during the carrying out of the development, new contamination is encountered that has not been previously identified, all related works shall cease immediately, and the Council shall be notified immediately 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.

5. Prior to occupation of the hereby permitted residential units, the glazing systems and ventilation to habitable rooms as installed must achieve the sound reduction performance specifications (R_{tra}) as per Section 6 Mitigation Measures of the Alive Environmental Ltd, Noise Report, entitled: LA04/2022/2059/F Residential Development Comprising of 12no. 3p/2p Semi-

Detached Dwelling Houses at Lands South of 56 Highcairn Drive, Belfast, BT13 3RU, Dated: March 2023 and shall be maintained thereafter;

Reason: Protection of Residential Amenity

6. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless 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: Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

DfI Roads & Rivers conditions to be added on receipt of consultation responses.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
Site location plan 01A
Site Block Plan 02C
Proposed Floor Plans 03
Proposed Floor Plans 04
Proposed Elevations 05
Boundary Treatments 06
Site Sections 07A
Site layout Topography 08B
Proposed Floor Plans 09
Proposed Floor Plans 10
Proposed Floor Plans 11
Proposed PSD Layout 13B
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.
4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	04/11/2022
Date First Advertised	18/11/2022
Date Last Advertised	16/06/2023
<p>Details of Neighbour Notification (all addresses)</p> <p>10 Highfield Drive, Belfast, Antrim, BT13 3RL 4 Highfield Drive, Belfast, Antrim, BT13 3RL 6 Highfield Drive, Belfast, Antrim, BT13 3RL 8 Highfield Drive, Belfast, Antrim, BT13 3RL 50 Highfield Drive, Belfast, Antrim, BT13 3RL 56 Highfield Drive, Belfast, Antrim, BT13 3RL 16 Highfield Drive, Belfast, Antrim, BT13 3RL 24 Highfield Drive, Belfast, Antrim, BT13 3RL 22 Highfield Drive, Belfast, Antrim, BT13 3RL 12 Highfield Drive, Belfast, Antrim, BT13 3RL 18 Highfield Drive, Belfast, Antrim, BT13 3RL 54 Highfield Drive, Belfast, Antrim, BT13 3RL 14 Highfield Drive, Belfast, Antrim, BT13 3RL 52 Highfield Drive, Belfast, Antrim, BT13 3RL 20 Highfield Drive, Belfast, Antrim, BT13 3RL 75 Highfield Drive, Belfast, Antrim, BT13 3RL 79 Highfield Drive, Belfast, Antrim, BT13 3RL 77 Highfield Drive, Belfast, Antrim, BT13 3RL Whiterock Orange Hall, 525 Dunboyne Park, Antrim, B13 3PX 3 Dunboyne Park, Belfast, Antrim, BT13 3PX 4 Dunboyne Park, Belfast, Antrim, BT13 3PX 5 Dunboyne Park, Belfast, Antrim, BT13 3PX 6 Dunboyne Park, Belfast, Antrim, BT13 3PX 7 Dunboyne Park, Belfast, Antrim, BT13 3PX 1 Dunboyne Park, Belfast, Antrim, BT13 3PX 2 Dunboyne Park, Belfast, Antrim, BT13 3PX 8 Dunboyne Park, Belfast, Antrim, BT13 3PX 51 Black Mountain Parade, Belfast, Antrim, BT13 3PX 49 Black Mountain Parade, Belfast, Antrim, BT13 3PX 57 Black Mountain Parade, Belfast, Antrim, BT13 3PX 55 Black Mountain Parade, Belfast, Antrim, BT13 3PX</p>	