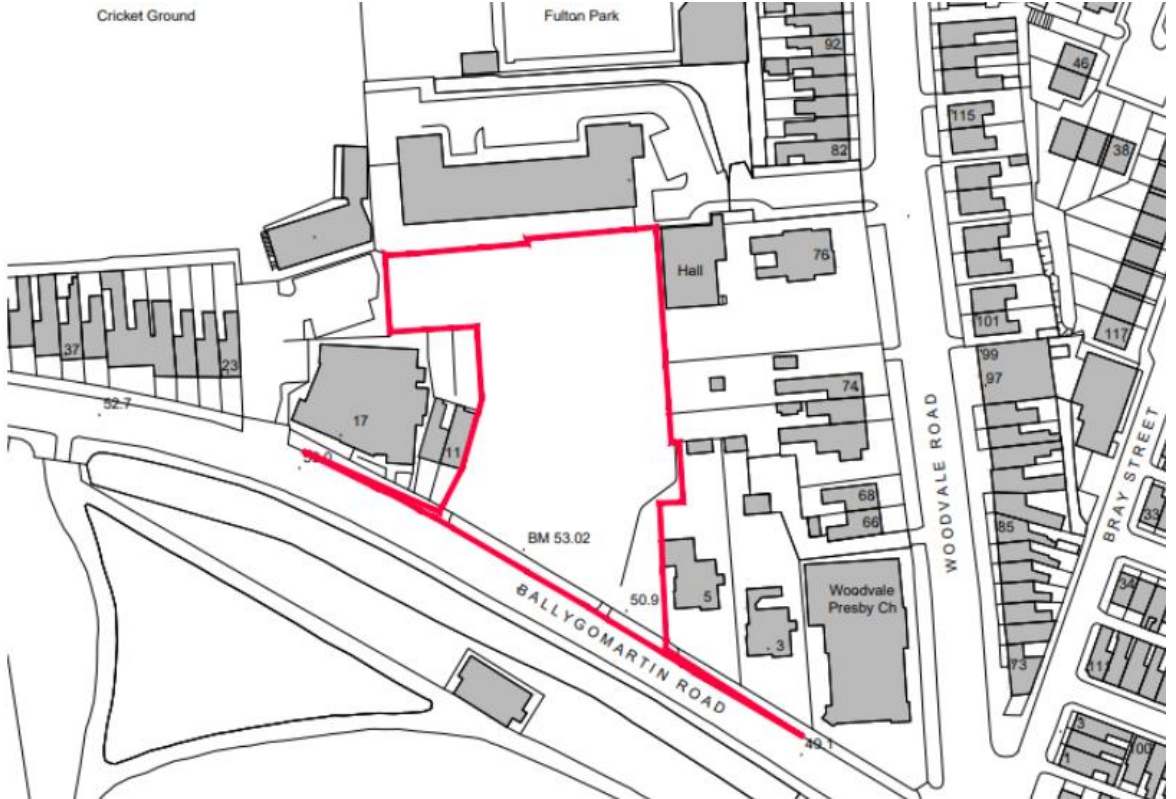


Development Management Officer Report Committee Application

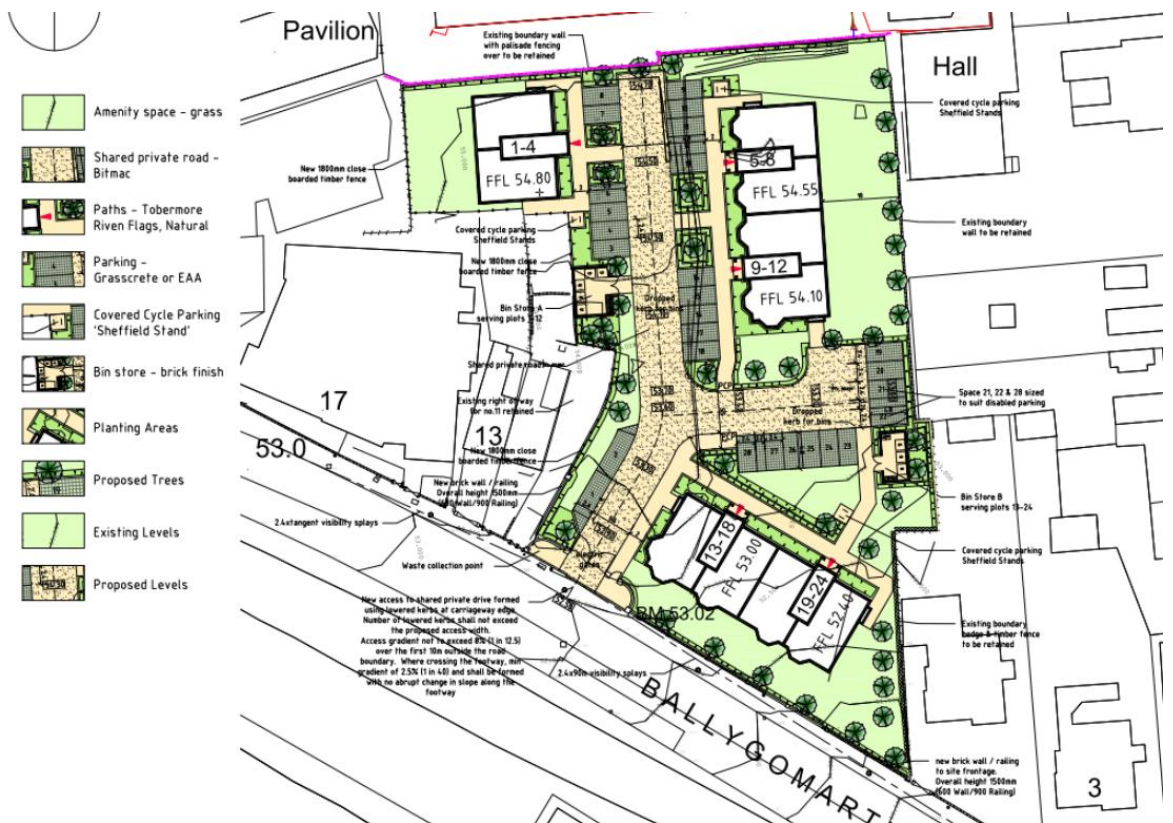
| Summary | |
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| Application ID: LA04/2021/1531/F | Committee Meeting Date: 16 th January 2024 |
| Proposal: Construction of 3 No. apartment blocks (2 x 3 Storey and 1 x 2 Storey) consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments | Location: 7 & 9 Ballygomartin Road Belfast BT13 3LA |
| Referral Route: Para 3.8.2 (a) (i) of the Council's Scheme of Delegation: <i>Housing schemes up to and including 12 units other than proposals for change of house type on an approved scheme below 50 units</i> | |
| Recommendation: | <u>Approval</u> |
| Applicant Name and Address: CYM Properties 181 Templepatrick Road Ballyclare BT39 0RA | Agent Name and Address: Footprint Architectural Design 181 Templepatrick Road Ballyclare BT39 0RA |
| <p>Executive Summary:</p> <p>The proposal is for 'Construction of 3 No. apartment blocks (2 x 3 Storey and 1 x 2 Storey) consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments'.</p> <p>The Council has received 12 objections in respect of this planning application, in relation to issues such as character, design, residential amenity, bin stores, parking, loss of view and property values.</p> <p>The application site is located on undesignated white land, in accordance with the BUAP. However, the site is partially zoned for housing in both versions of dBMAP, with the eastern portion of the site remaining whiteland. The site is also designated a draft Area of Townscape Character in both versions of dBMAP.</p> <p>The key issues for consideration in this application are:</p> <ul style="list-style-type: none"> - Principle of residential development - Impact on character of the area / design issues - Impact on residential amenity - Impact on parking and road safety - Impact on trees / landscaping - Impact on Sewage infrastructure and Drainage - Proposed Waste management <p>Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.</p> <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including completion of the Section 76 Legal Agreement to secure affordable housing, in accordance with Policy HOU5, provided that they are not substantive.</p> | |

Officer Report

- 1.0 Drawings
- 1.1 Site Location Plan



Proposed Site Layout



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| 2.0 | Characteristics of the Site and Area |
| 2.1 | The application site is an irregularly shaped site, located on the northern side of the Ballygomartin Road. The site is relatively flat and measures approximately 0.43 Hectares in area, with the roadside boundary approximately 58 metres in length. |
| 2.2 | The eastern boundary of the site is well established with existing vegetation and borders existing residential dwellings. The northern boundary is defined by an existing red brick wall, which separates the site from McCallum Court, an existing Retirement housing complex. The western boundary is not as well defined, particularly closer to the road. This part of the site borders a dwelling at No. 11 Ballygomartin Road and the grounds of Woodvale Cricket Club. |
| 2.3 | There are a number of mature trees located along the boundaries of the site, however there is little vegetation within the application site. There are a number of street trees located along the Ballygomartin Road boundary. |
| 2.4 | The surrounding area is characterised by a mix of uses, including residential, medical, recreational and ecclesiastical. It is noted Woodvale Park is located directly across the road from the application site. |
| 3.0 | Description of Proposal |
| 3.1 | The proposal is for ' Construction of 3 No. (2 x 3 Storey and 1 x 2 Storey) apartment blocks consisting of 20 No. 2 bed apartments and 4 no. 3 bed apartments (Amended drawings) |
| 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 Belfast Agenda |
| 4.5 | Relevant Planning History Z/2009/0161/F - Demolition of existing properties and construction of a new 69 bed residential/nursing home with 8 visitor beds accommodation within footprint (Amended scheme and description) – Permission Granted 4 th April 2012. |
| 5.0 | Consultations and Representations |
| 5.1 | Statutory Consultations DFI Roads – No objection, subject to conditions NI Water (NIW) – No objection, subject to condition. DFC Historic Environment Division (HED) – No objection DAERA Northern Ireland Environment Agency (NIEA) – No objection, subject to conditions |

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| <p>5.2</p> <p>5.3</p> <p>5.4</p> | <p>Non-Statutory Consultations</p> <p>BCC Environmental Health (EHO) – No objection, subject to conditions. DFI Rivers – No objection, subject to condition. Shared Environmental Services (SES) – No objection, subject to condition. NI Housing Executive (NIHE) – Sufficient supply of social housing. BCC Tree officer – No objection, subject to conditions. BCC Urban Design – No objection.</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> <p>Representations</p> <p>The applications have been advertised and neighbours notified. The Council has received 12 objections in respect of this planning application, although it is acknowledged 2 objectors have objected on 3 occasions. The issues raised by objectors include:</p> <ul style="list-style-type: none"> • Issues with height of proposed apartment buildings. • Detrimental impact on character of the surrounding area. • Overall design of the scheme is weak and unimaginative. • Proposed apartments will be an eyesore. • Impact on neighbouring property at No. 5 Ballygomartin Road – potential overlooking from upper floor apartments towards the rear of No. 5 and potential overshadowing / lack of light. • Impact on neighbouring property at No. 74 Woodvale Road – loss of privacy, impact on light in rear garden. • Impact on adjacent sheltered housing scheme – issues regarding loss of privacy, loss of sunlight, existing apartments overlook the application site. • Issue with location of bin stores – directly adjacent to boundary with existing dwellings and could result in environmental issues for neighbouring residents, i.e. odour, vermin etc. Visual impact of bin stores from neighbouring developments. • Issues with proposed parking plans. • Area already has traffic and parking issues. • Potential anti-social behaviour as a result of the proposed development. • Noise / nuisance impact of proposed development during construction. • Concerns regarding distance of proposal to boiler house at McCallum Court. • Loss of view • Detrimental impact on value of neighbouring property. <p>It is noted that loss of view and value of property are not material planning considerations, however all other issues will be discussed within the report.</p> |
| <p>6.0</p> | <p>PLANNING ASSESSMENT</p> |
| <p>6.1</p> | <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> |

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| 6.2 | 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. |
| 6.3 | 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. |
| 6.4 | <u>Operational policies:</u> the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report. |
| 6.5 | <u>Proposals Maps:</u> Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. |
| 6.6 | The application site is located on undesignated white land, in accordance with the BUAP. However, the site is partially zoned for housing in both versions of dBMAP, with the eastern portion of the site remaining whiteland. The site is also designated a draft Area of Townscape Character in both versions of dBMAP. |
| 6.7 | <p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <p>Policy SD1 – Settlement hierarchy Policy SD2 – Settlement Areas</p> <p>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</p> <p>Policy DES1 – Principles of Urban Design</p> <p>Policy RD1 – New Residential Developments</p> <p>Policy BH1 – Listed Buildings Policy BH3 – Areas of townscape character Policy BH4 – Works to grounds affecting built heritage assets</p> <p>Policy TRAN1 – Active Travel – Walking and Cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to Public Roads Policy TRAN8 – Car Parking and Servicing Arrangements</p> <p>Policy ENV1 – Environmental Quality Policy ENV2 – Mitigating Environmental Change</p> |

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| | <p>Policy ENV3 – Adapting to Environmental Change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable urban drainage systems (SuDS)</p> <p>Policy NH1 – Protection of natural heritage resources Policy TRE1 – Trees</p> <p>Key Issues</p> |
| 6.8 | <p>The key issues for consideration in this application are:</p> <ul style="list-style-type: none"> - Principle of residential development - Impact on character of the area / design issues - Impact on residential amenity - Impact on parking and road safety - Impact on trees / landscaping - Impact on Sewage infrastructure and Drainage - Proposed Waste management |
| 6.9 | <p>Principle of residential development</p> <p>As noted in para 6.6, the application site is located on undesignated whiteland, in accordance with the BUAP and is partially zoned for housing within dBMAP. The surrounding area is characterised by a mix of uses, including residential. It is considered that the proposed residential use is acceptable in principle.</p> |
| 6.10 | <p>Impact on character of the surrounding area / Design</p> <p>The application site is located at the eastern end of the Ballygomartin Road, approximately 80 metres from the junction with the Woodvale Road. Woodvale Presbyterian Church, a grade B1 listed building, is located beside this junction, approximately 40 metres from the site. On the eastern side of the site lies a pair of 2 storey detached dwellings, finished in a mix of red brick and render. On the western side lies a pair of semi detached 2.5 storey dwellings, finished in red brick with render detailing. At the rear of the site, there is a large 3 storey sheltered housing scheme, finished in red brick. Further along to the west of the site lies a row of terraced dwellings, 2.5 storeys in height. Woodvale Park lies directly opposite the site, with that roadside boundary well defined by mature trees.</p> |
| 6.11 | <p>The proposed development includes 3 apartment blocks of varying sizes, with uniform materiality. Apartments 13-24 are located directly adjacent to the Ballygomartin Road (Block A), Apartments 5-12 are located on a north-south axis in the north eastern portion of the site (Block B) and Apartments 1-4 (Block C) are located in the north western corner of the site.</p> |
| 6.12 | <p>Block A is a 3 storey apartment building, finished in a mixture of red brick and render, with grey roof slates. The block includes double height bays on the Ballygomartin Road (south) and the access road (west) elevation. This block is accessed to the rear. There is a slight incline along this part of the Ballygomartin Road, therefore there is a slight variation in finished floor levels along the block (approximately 0.6 m). The height of the block varies from 11.25 m on the eastern gable to 12 m on the western gable. Block A is in general conformity with the established building line along this part of Ballygomartin Road. It is set slightly in front of the line of No's 11 and 13, however these dwellings are set further back than other neighbouring building, such as No's 3, 5 and 17. Block A is set approximately 5.6 m back from the site boundary, which provides effective relief within the streetscape.</p> |
| 6.13 | <p>Block B is also a 3 storey apartment building, finished in a mixture of red brick and render, with grey concrete roof tiles. This block is accessed from the front and measures approximately 12.1 m to ridge level. Block B is not as visually prominent as Block A, as it</p> |

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| | is set back within the site. It is located approximately 14 m from McCallum Court to the north and at least 33 metres from the dwellings along Woodvale Road. |
| 6.14 | Block C is a smaller apartment building, 2 storeys in height and finished in red brick. Block C measures approximately 10 m to ridge level. It is located approximately 9.4 m to McCallum Court to the north and approximately 18 metres from the rear of No. 13 Ballygomartin Road. |
| 6.15 | The proposal includes the construction of a new boundary treatment along the front of the site, with the provision of a 600 mm brick wall with 900 mm railing on top. Furthermore, 6 new trees are proposed along the front boundary to aid visual amenity and integration. |
| 6.16 | It is considered that the proposed development responds positively to the local context and character through architecture and urban form and it addresses matters such as height, scale, massing, proportion, plot width, building line, rhythm, roofscape, materials etc. |
| | Residential Density |
| 6.17 | The density of the proposed development equates to approximately 55 dwellings per Hectare, which fits into the density band of 50-150 for city corridors within outer Belfast, in accordance with Policy HOU4. |
| | Residential Amenity |
| 6.18 | A number of concerns were raised with regard to impact on residential amenity from neighbours. With regard to overlooking, it is not considered that there will be any impact from either Block A or Block C as the gable windows that have potential for overlooking towards neighbours will serve bathrooms / shower rooms. In the event of approval, these windows will be condition to be obscure glazed thereby mitigating against overlooking. Block B is located to the rear of existing residential development along Woodvale Road (Even No's 70 – 76). These 4 dwellings are located within quite long, linear plots, with the rear elevation approximately 33 – 42 metres from Block B, however it is noted that the main windows on the rear elevations are located further away. Furthermore, in relation to No. 76, there is an existing building located between the two buildings which will partially screen views into and out of the site. It is acknowledged that the rear amenity areas of these dwellings extends to the site boundary, which is located 10 metres from Block B. The existing boundary treatment is a large wall proposed for retention. This wall will assist in providing screening to these dwellings, and vice versa. Given the enhanced separation distances within this urban area and retention of existing boundary treatment, it is considered that the proposed development will not unduly affect neighbouring residents in terms of overlooking. |
| 6.19 | Block A is located approximately 10 – 14 metres from the neighbouring dwelling at No. 5 Ballygomartin Road, due to the orientation of both buildings. Block A is located to the west of this dwelling, therefore it is likely that the rear garden area of No. 5 will experience some minor overshadowing in the evening during the summer. Furthermore, Block B is located to the west of the aforementioned dwellings on Woodvale Road and to the south of McCallum Court. Similarly to the relationship of Block A and No. 5, it is likely that Block B will create some minor overshadowing on the rear gardens of No. 72 – 76 Woodvale Road in the evening during the summer. Block B is located approximately 14 m to the south of McCallum Court. The southern elevation of McCallum Court is dominated by apartment windows, therefore providing outlook to the residents. It is likely that Block B will create some shadow impact on McCallum Court, particularly in the winter, however given the orientation and gable width of Block B (10.3 metres), this impact will be limited in time. During the summer, shadow impact is unlikely to have a major affect on McCallum Court as the sun is higher in the sky. Similarly, Block C is located approximately 9.4 m to the south of McCallum Court and it is likely to have a similar impact to Block B. Although the |

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| | proposal will likely cause overshadowing, the impact is considered to be relatively minor and it will not unduly affect neighbouring properties. Furthermore, it is not considered that the proposal will result in a loss of daylight to any nearby properties. |
| 6.20 | The application site does not lie within any Air quality management area, or within an area of concern for poor air quality. EHO have also concluded that estimated transport emissions as a result of the proposal, will have a negligible impact on nitrogen dioxide concentrations in the locality. The agent has also confirmed that heating and hot water will be provided by gas heating within individual apartments. EHO conclude that there are no objections in relation to air quality, subject to condition. Additionally, there is no concern in relation to noise or proximity to the boilers associated with McCallum Court. |
| 6.21 | <p>Amenity Space</p> <p>The proposed development includes three main areas of amenity space, in proximity to each apartment block. Whilst the location of the amenity space around Block A is not ideal as it is located beside the roadside boundary, the overall provision of space is generous. The useable amenity space measures approximately 700 square metres; this calculation does not include the small areas of landscaping around the apartments and parking areas etc. It is also noted that the application site is located directly across the road from Woodvale Park, which offers additional amenities to potential occupants.</p> |
| 6.22 | <p>Contaminated land</p> <p>A Preliminary Risk Assessment (PRA) and Generic Quantitative Risk Assessment (GQRA) was submitted in support of the proposal. The Assessment concluded that no unacceptable risks to environmental receptors have been identified and that no specific remedial measures are deemed necessary for the purposes of the proposal. EHO and NIEA provided commented, advising of no objections, subject to conditions.</p> |
| 6.23 | <p>Affordable Housing</p> <p>NIHE have confirmed that there is sufficient supply of social housing currently within the Social Housing Development Programme and through other supported schemes in the area, therefore there is no demand for social housing at this location. NIHE confirmed that they would welcome the provision of intermediate or discount rental market rate units.</p> |
| 6.24 | The agent has advised that the developer is proposing that 5 no. units will be provided as intermediate housing for sale, therefore complying with the tests of policy HOU5. This will be secured by a Section 76 Legal Agreement, in the event of approval. |
| 6.25 | <p>Housing Mix</p> <p>The proposed development includes an overall mix of 3 no. 1 bedroom apartments, 17 no. 2 bedroom apartments and 4 no. 3 bedroom apartments. It is considered that the proposed development provides a suitable mix of house types and sizes which promotes choice and assists in meeting community needs. In accordance with para 4.3.4 of the SPG, the provision of 3 bedroom apartments is welcomed as this apartment type historically is under provided and helps creation of balanced communities.</p> |
| 6.26 | <p>Adaptability and Accessibility</p> <p>All new homes should be designed in a flexible way to ensure that housing is adaptable for occupants throughout all stages of life. The proposed development complies with all of the criteria in relation to parking provision, sheltered entrances, living spaces, entrance level WCs, accessible bathrooms and acceptable outlook in living areas.</p> |
| 6.27 | For residential developments of 10 units or more (such as this one), 10% of the units shall be wheelchair accessible. In this case, 3 of the 24 units have been designed specifically to enable use and accessibility for wheelchair users. |

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| 6.28 | <p>Access, Road Safety & Parking</p> <p>The proposed parking layout includes 28 no. parking spaces, three of which are suitable for disabled parking. Throughout the application process, the scheme was amended, with a reduction in unit numbers from 30 to 24. Consequently, the required parking standards was also reduced downwards from 45 to 34.5 (35), resulting in a shortfall of 7 spaces. A parking survey was submitted in support of the proposal, which demonstrated that there is capacity for on street parking associated with the proposal and this is unlikely to have a significant impact on the local transport network. In addition to car parking, appropriate provision has been made for cycle parking.</p> |
| 6.29 | <p>DFI Roads have confirmed that the proposed access is safe and should be provided prior to commencement of development. DFI Roads confirmed no objections to the proposal, subject to conditions and acknowledged the issues raised by objectors.</p> |
| 6.30 | <p>Impact on Listed Building</p> <p>The proposed development is located in close proximity to a Grade B1 Listed Building, Woodvale Presbyterian Church (ref. HB26/38/001). HED have advised that the proposed development is sufficiently removed in situation and scale of development as to have a negligible impact on the significance of the listed church or on the quality and character of its setting. It is considered that the proposal complies with the tests of policy BH1.</p> |
| 6.31 | <p>Impact on Trees / Proposed landscaping</p> <p>An amended landscaping scheme has been submitted in support of the proposal. BCC Tree and Landscaping officer has provided comments, noting that there are no trees located along the front boundary, however there is one ash tree situated along the eastern boundary of the site. This tree is dominated in ivy and showing signs of stress within the upper crown and is recommended to be inspected by an arborist. Following this inspection, if the tree is to be retained, appropriate mitigation measures should be taken. With regard to proposed planting, 38 trees are proposed comprising a mix of birch, oak, lime, rowan, cherry and apple. The proposed trees are to be planted throughout the site and will assist with site integration and promote future amenity value. It is considered that the proposal complies with the tests of policy TRE1, subject to conditions.</p> |
| 6.32 | <p>Ecology</p> <p>A Biodiversity Checklist, Preliminary Ecological Assessment, Invasive Weeds Management Plan and Outline Construction Environmental Management Plan were submitted in support of the proposed development.</p> |
| 6.33 | <p>NIEA Natural Environment Division (NED) have advised that the site may be hydrologically linked to Inner Belfast Lough Area of Special Scientific Interest (ASSI), Belfast Lough RAMSAR site, Belfast Lough Special Protection Area (SPA) and Belfast Lough Open Water SPA; these sites are of international importance and protected by the Habitats Regulations. NED have advised that as the site is approximately 4km south west of these sites, the proposal is unlikely to have a significant impact.</p> |
| 6.34 | <p>The submitted information shows that invasive species are present on the site, however there is no evidence of badgers, bats or newts on or adjacent to the site. NED have advised of no objection.</p> |
| 6.35 | <p>Habitats Regulations</p> <p>Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the Habitats Regulations Assessment (HRA) report, and conclusions therein, prepared by our consultees SES, dated 23/11/2022. The</p> |

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| <p>6.36</p> <p>6.37</p> <p>6.38</p> <p>6.39</p> <p>6.40</p> | <p>HRA found that the project would not have an adverse effect on the integrity of any European site.</p> <p>Sewage NIW initially advised that there was insufficient waste water treatment capacity to serve the development. However, the developer engaged with NIW by way of a Wastewater impact Assessment, which identified a solution to mitigate downstream wastewater network capacity constraints. NIW confirmed the feasibility of the solution on-site and the developer has agreed to requisition a new storm sewer. Consequently, NIW confirmed they have no objection to the proposal, subject to a condition to ensure the wastewater engineering solution is delivered prior to occupation.</p> <p>NIEA Water Management Unit (WMU) advised of concerns that the sewage loading associated with the proposal had potential to cause an environmental impact if transferred to a Waste water treatment works (WWTW). However, WMU advised that they would have no objection to the proposal if NIW indicated that the WWTW could accept the additional load. Following the recent positive response from NIW, it is therefore concluded that the concerns of WMU have now been addressed.</p> <p>Drainage A Drainage Assessment has been submitted in support of the proposed development. DFI Rivers Agency have provided comment, advising that they accept the logic of the DA and it only lacks a Pre Development Enquiry response from NIW. The DA states that the drainage design is preliminary, therefore DFI Rivers have requested that a condition to provide a final Drainage Assessment is imposed on any potential approval. It is concluded that the proposal complies with Policy ENV4.</p> <p>Climate Change The proposal incorporates a number of measures designed to ensure it contributes to sustainable development, adapting to environmental change and providing sustainable drainage solutions. The proposal includes the construction of all parking bays with grasscrete and the planting of 38 new trees within the site, as well as other landscaping. The grasscrete parking bays will provide further permeable surfaces within the site which will help manage surface water effectively on site and reduce runoff.</p> <p>Waste management The proposed development includes two generously sized bin storage areas. The bin stores are finished to a high standard and are enclosed by a brick wall 2.1 m in height. Timber trusses are also included along the roof of the bin store. Although the bin stores have been well designed, there is a slight concern regarding the location within the development, particularly in relation to bin store A, which is proposed to serve Apartments 1-12 (Blocks B and C). The bin store is situated approximately 17 m, 18.5 m and 22 m from the front door of these apartments. However, on balance, given the proposed development complies with all relevant planning policies and the bin stores are designed to a high standard, the arrangement is considered acceptable.</p> |
| <p>7.0</p> | <p>Recommendation</p> |
| <p>7.1</p> | <p>Having regard to the statutory development plan and material considerations, the proposed development is considered acceptable.</p> |
| <p>7.2</p> | <p>It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including completion of the Section 76 Legal Agreement to secure affordable housing, in accordance with Policy HOU5.</p> |

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. The development hereby approved shall not be occupied or operated unless in accordance with the approved Travel Plan dated August 2021 and uploaded to the Planning Register on 4th January 2024.

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

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

Reason: To ensure adequate car parking within the site.

4. No development shall commence on site (other than that required to fulfil this condition) unless the new access has been provided in accordance with the approved plans. The access shall be retained in accordance with the approved plans at all times.

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

5. The development hereby approved shall not be occupied or operated unless covered bicycle storage has been provided in accordance with the approved plans. The covered bicycle storage shall be retained in accordance with the approved plans at all times.

Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel.

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

Reason: In the interests of visual amenity.

7. All hard and/or soft landscaping works, including bin storage and boundary treatments, shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other

trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details.

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

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

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

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

Reason: To avoid compaction within the RPAs.

10. The residential unit/s hereby approved shall not be occupied until their respective boundary treatment has been implemented in accordance with the approved plans. The boundary treatment shall be retained in accordance with the approved details.

Reason: In the interests of amenity.

11. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order), all windows serving bathrooms, shower rooms and ensuites shall at all times be glazed with obscure glass to at least Privacy Level 3 (or equivalent).

Reason: To safeguard the privacy of adjacent properties.

12. Prior to the commencement of development on site, a final drainage assessment, compliant with policy ENV4 of the Belfast Local Development Plan: Plan Strategy 2035, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted to and approved by the Council.

Reason: To safeguard against flood risk.

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

14. Prior to the occupation of the hereby approved development, a verification report shall be submitted to and approved in writing by the Council demonstrating that the approved wastewater network engineering solution to mitigate the downstream foul capacity issues has been delivered in accordance with the approved details.

Reason: To ensure a practical solution to sewage disposal from this site.

15. The development shall not be carried out unless in accordance with the approved Sustainable Urban Drainage System (SuDS) measures. The porous / permeable grasscrete car parking bays shall be incorporated prior to occupation of the development, in accordance with the approved details. The SuDS measures shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development.

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

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

17. In the event that pollution sources, to include any substantial combustion sources (boilers/CHP, biomass) are proposed as part of this development, and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an Air Quality Impact Assessment shall be submitted to and approved by the Council prior to occupation of the development.

Reason: Protection of human health and amenity.