Development Management Officer Report Committee Application

Summary				
Application ID:LA04/2023/3076/F	Committee Meeting Date: 19th March 2024			
Proposal: Single storey extension to the Gael-Ionad Mhic Goill building, to provide additional common room space and classroom facilities, reception area, a multi-purpose room and heritage cafe space, with associated toilets and ancillary spaces in addition. An external outdoor performance area and landscaped areas will be provided in addition to car parking areas & bin stores.	Location: Glor Na Mona, 4 Whiterock Close, Ballymurphy, Belfast, Antrim, BY12 7RG			
Referral Route: Council owned land which Gael-loan Mhic Goiland lease from Belfast City Council (3.8.5 (d)).				
Recommendation: Approval				
Applicant Name and Address: Feargal Mac Ionnrachtaigh 4 Clos Na Carraige Béal Feirste BT12 7RG	Agent Name and Address: Kevin Neeson McCartan Muldoon Architects Studio 1, The Marina Centre 135a Shore Road Ballyronan Magherafelt BT45 6JA			

Executive Summary:

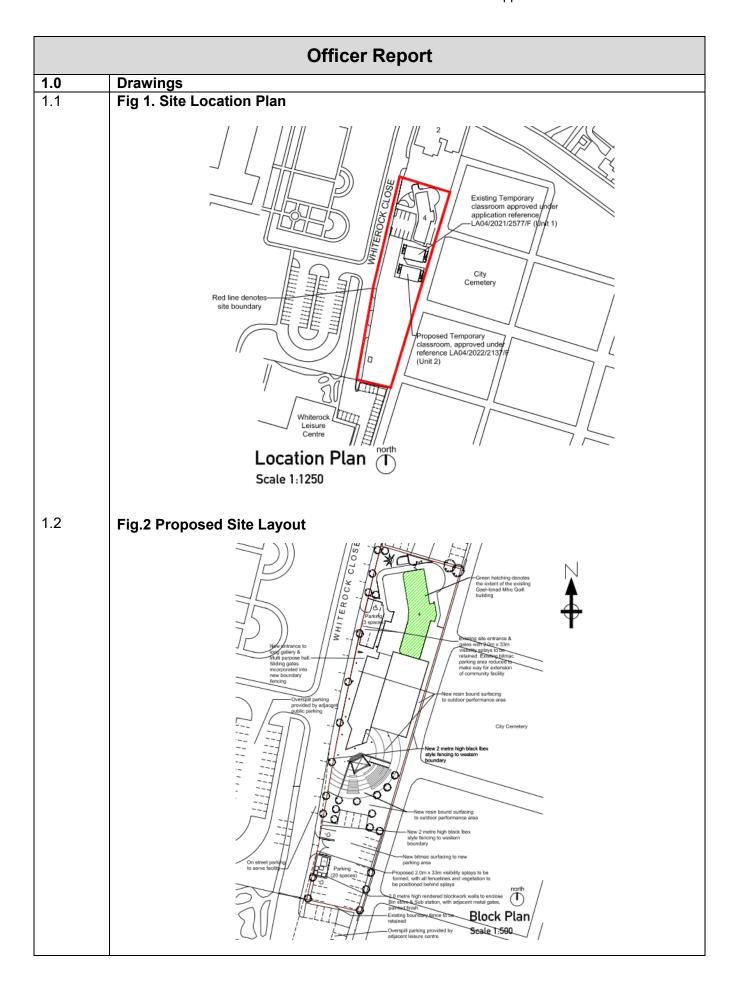
This application seeks full planning permission for a single storey extension to the Gael-Ionad Mhic Goill building, to provide additional common room space and classroom facilities, reception area, a multi-purpose room and heritage cafe space, with associated toilets and ancillary spaces in addition. An external outdoor performance area and landscaped areas will be provided in addition to car parking areas & bin stores.

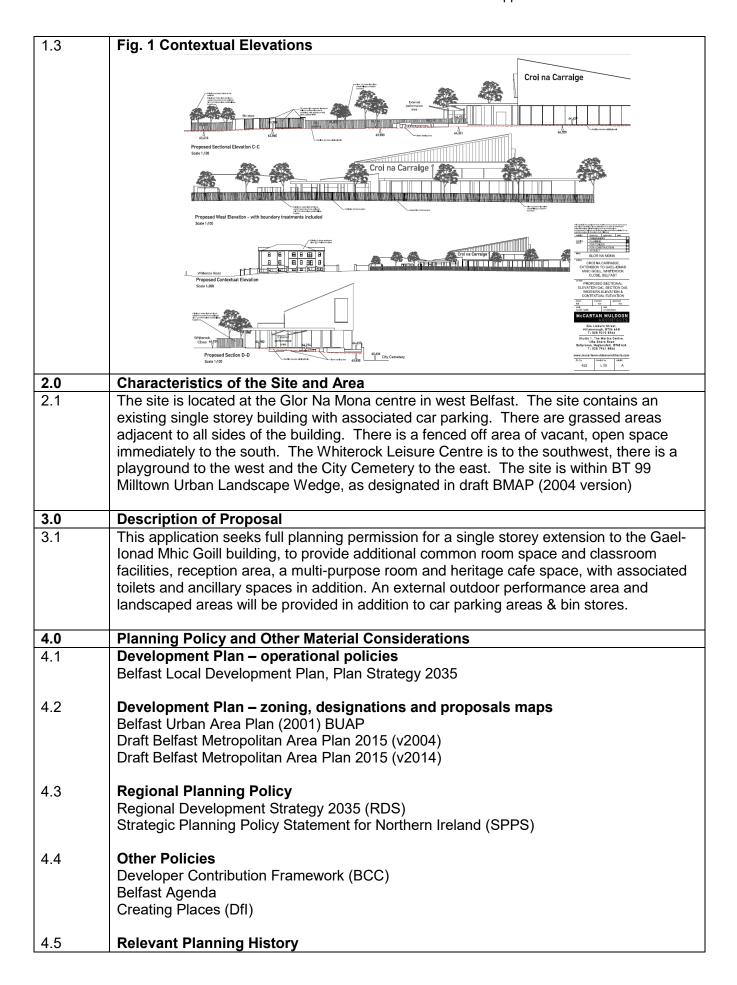
The main issues to be considered are:

- Design, layout and impact upon the character and appearance of the area
- Open Space and Landscape Designations
- Access and Movement
- Climate Change
- Waste-water infrastructure
- Noise, odour and other environmental impacts including contamination

Having regard to the development plan and other material considerations, the proposal is considered on balance acceptable. It is recommended that planning permission is granted.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including consideration of the outstanding Shared Environmental Services consultation, provided that they are not substantive





4.6	LA04/2022/2137/F Glor na Mona 4 Whiterock Close. Proposed detached modular temporary classroom and toilet unit with ramp for access at Gael-lonad Mhic Goiland. Relocation of existing temporary classroom (ref LA04/2021/2577/F) and existing palisade fencing on boundary moved 10.5m south to facilitate the new temporary unit. Permission Granted			
4.7	LA04/2021/2577/F Gael-lonard Mhic Goill. Detached modular temporary classroom unit and toilet unit to the south of the existing community facility. Existing southern fenced boundary moved due south by 8.5 metres. Permission Granted			
4.8	Z/2014/1741/F Lands 50 metres due south of 2 Whiterock Close. Change of design from that previously approved under application reference Z/2013/1075/f to provide a new single storey Irish Language and youth community centre. Permission Granted			
4.9	Z/2013/1075/F Lands to East of Whiterock Close, North of Whiterock Leisure Centre, West of Belfast cemetery. New construction timber framed, modular building for Irish Language Youth Centre, 2 storeys. Permission Granted			
5.0	Consultations and Representations			
5.1	Statutory Consultations Dfl Roads – Content subject to conditions NI Water – Refusal DAERA- Concerns raised from Water Regulation Unit and no concerns from the Natural Environment Division Shared Environmental Services- Awaiting response			
5.2	Non-Statutory Consultations BCC Environmental Health – Content subject to conditions			
5.3	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.			
5.4	Representations			
	The application has been advertised and neighbours notified. The Council has received no representations in support or objection.			
6.0	PLANNING ASSESSMENT			
0.0	Development Plan Context			
6.1	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.			
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.			

- 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.
- Operational policies the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
- 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.

6.6 Relevant Planning Policies

The following policies in the Plan Strategy are relevant to consideration of the application.

Strategic Policies

Policy SP1A – managing growth and supporting infrastructure delivery

Policy SP2 – sustainable development

Policy SP3 – improving health and wellbeing

Policy SP5 – positive placemaking

Policy SP6 – environmental resilience

Policy SP7 – connectivity

Policy SP8 – green and blue infrastructure network

Spatial Development Strategy

Policy SD1 – Settlement hierarchy

Policy SD2 – Settlement Areas

Shaping a Liveable Place

Policy DES1 – Principles of Urban Design

Policy CI1- Community Infrastructure

Transport

Policy TRAN1 - Active travel - walking and cycling

Policy TRAN 2 – Creating an accessible environment

Policy TRAN4 – Travel plan

Policy TRAN6 – Access to public roads

Policy TRAN8 – Car parking and servicing arrangements

Policy TRAN10- Design of Car Parking

Building a Smart Connected and Resilient Place

Policy ENV1 – Environmental Quality

Policy ENV2 – Mitigating Environmental Change

Policy ENV3 – Adapting to Environmental Change

Policy ENV4 - Flood Risk

Policy ENV5 – Sustainable Drainage Systems (SuDS)

Promoting a Green and Active Place

Policy OS1 - Protection of Open Space

Policy OS3 – Ancillary Open Space

Policy TRE1 - Trees

Policy LC1 – Landscape

Policy LC1D- Landscape Wedges

Supplementary Planning Guidance

Placemaking and Urban Design

Sustainable Urban Drainage Systems

Transportation

Trees and Development

6.7 **Key Issues**

The key issues are:

- Design, layout and impact upon the character and appearance of the area
- Open Space and Landscape Designations
- Access and Movement
- Climate Change
- Waste-water infrastructure
- Noise, odour and other environmental impacts including contamination.
- The adoption of the Plan Strategy requires the following updated assessment.
- Additional Information
- Officers requested that the applicant provides 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.
- The Planning Service's Plans and Policy team has been consulted on the applicant's Plan Strategy. No further consultations have been considered necessary following adoption of the Plan Strategy.
- 6.11 Principle of Development

6.12

The site is located within the existing settlement limit (BUAP and dBMAP). It is located within the designated Milltown Urban Landscape Wedge (dBMAP). There are no other zonings or designations affecting the site. Adjacent lands are designated as a Local Landscape Policy Area (dBMAP) and represent existing open space, including the Whiterock Leisure Centre grounds and City Cemetery). Policy CI1 Community Infrastruture generally supports community facilities at appropriate accessible locations within the urban area, subject to normal planning considerations. The proposed development represents an extension of an existing community facility and is considered to be complaint with this policy.

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

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. The proposal to extend the existing community is considered to appropriately tie in with the current design scale and massing. The finish of materials is to match the existing facility, white render with red tones to parts of the front and rear elevations. Appropriate landscaping measures have been included to ensure the integrity of the Milltown Landscape Wedge is maintained.

6.13 The proposal is considered to tie in with the adjacent housing at Whiterock Close. There will be no issues in relation to overlooking, loss of light, overshadowing and dominance.

Open Space and Landscape Designations

- Policy OS1 (protection of Open Space) protects against the loss of existing open space. The site is currently vacant/disused and is secured by palisade fencing. There is a hardstanding area within the site that indicates some former use and it understood that it may have been used for community use before 2002. The current proposal would therefore represent the restoration of such previous use, albeit with a substantial intervening period. It is considered that the site does not fall within the LDP 2035 definition of open space and Policy OS1 is therefore not applicable.
- The LDP 2035 Landscape Policies (general Policy LC1-Landscape and specific Policy LC1D- Landscape Wedges) are applicable in this instance.
- The Milltown Landscape Wedge covers an extensive area, from Milltown Cemetery near the M1 Motorway through Falls Park and City Cemetery to the Whiterock Leisure Centre. The designation at this location includes some existing buildings, such as a 3-storey fold housing block, the Whiterock Leisure Centre and the existing Glor na Mona facility. The proposed development is for an expansion of the existing community facility and, whilst part of it could be considered 'outdoor recreation' (permitted by the policy), the proposed development's principle use is not outdoor recreation. Therefore, the proposal is not normally supported by the policy.
- However, the policy states that development may be considered where it is clearly shown that it will bring substantial community benefits that outweigh any potential landscape impacts, and that adequate mitigation will be put in place. Whilst the proposal is situated within the Milltown Landscape Wedge, it is currently in a derelict state and is not in use. There is a presumption in favour of its retention, therefore an exemption will be granted where redevelopment will bring substantial community benefits that outweigh the loss of some of the landscape wedge. It is also considered that the proposal suitably integrates with the existing building and surrounding site. There are suitable landscaping measures put in place to ensure the site sits suitably within the landscape. The proposal will not affect views onto the site and will not have a detrimental impact in the integrity of the wedge. Therefore, on balance, the proposal is considered acceptable.

6.18 Climate change

Policy ENV2 of the Plan Strategy states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce greenhouse gases by promoting sustainable patterns of development. All new development proposals will maximise opportunities to incorporate sustainable design features where feasible (such as grey water recycling, green roofs, maximising use of recycled materials, orientating buildings to optimise solar gain, energy efficiency). Development proposals should, where appropriate, demonstrate the highest feasible and viable sustainability standards in the design, construction, and operation. Similarly ENV3 states that planning permission will be granted for development that incorporates measures

to adapt to environmental change, in order to support sustainable and enduring development. 6.19 The applicant has submitted a Climate Change Statement setting out that the following features are incorporated into the design to comply with both ENV2, ENV3 and ENV5: The building is designed to be orientated to optimise solar gain and energy efficiency, Improved fabric standards and increased on-site renewable generation will reduce carbon emissions to heat and power the building. There will be 10-15 kW array of Photovoltaic Panels (PVs) located on the roof. This will be linked back to the grid-surplus energy can be distributed back to the grid but it is intended that the power generated will be used within the building. A battery pack can store the energy for general use and a converter will be used to assist with domestic hot water. It is intended that the building will not utilise heating or hot water from traditional fossil fuel boilers and all systems will be electric. An increased soft landscaped area with multiple semi mature native species and trees and areas of wildflower grasses mix will enhance bio-diversity on the site. 6.20 There will be a net gain of 26 trees on site. Therefore, on balance the proposal is considered to mitigate and adapt to climate change and comply with Policy TRE1. 6.21 The proposal is considered on balance to satisfy the requirements as set out in ENV2, ENV3 and ENV5 of the Plan Strategy. A pre commencement condition is proposed to ensure delivery of the above measures and that soft landscaping within the site introduces SuDS measures to partially meet ENV3 and comply with ENV 5. Access, movement, and parking 6.22 The proposal has been assessed against the following policies, TRAN 6, TRAN 8, TRAN 10. 6.23 Policy TRAN 6- Dfl Roads were consulted and is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety. The means of access to the development would be safe. There is sufficient parking available having regard to the location and sustainability of the site. 6.24 Policy TRAN 8- Car Parking and Servicing Arrangements. It is considered that adequate parking has been provided for the proposal. 6.25 Policy TRAN 10 has been met in that the design of car parking meets the following criteria: a. It respects the character of the local townscape/landscape as the majority of parking is to the rear of the building. The extent of parking retained at the front of the property is consider consistent with other development in the area and is screened by the implementation of landscaping along the site frontage. b. It will not adversely affect visual and residential amenity c. Provision has been made for security, and the direct and safe access and movement of pedestrians and cyclists within the site as all parking is overlooked and located adjacent to, or within a short distance of, the entrance to the building. d. Provision of one parking space has been made for accessible parking bays which facilitate safe, convenient access for people with a disability or impaired mobility.

The proposal is considered complaint to Policies, TRAN 2, 4, 6, 8 and 10.

6.26

6.27 **Waste-water infrastructure**

NI Water has objected to the proposal on grounds of insufficient capacity at the local waste-water treatment plan. 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.

Ecological Impacts

- 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.
- 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 hypothetic impacts. As the Competent Authority, the Council may take its own objective view on whether a proposal is likely to have a significant effect on water quality of the Lough. However, having regard to the precautionary approach, where there is clear intensification, the Council may need to consult SES and ask them to undertake a HRA Appropriate Assessment Screening to ascertain whether there would be a likely significant impact. This also triggers statutory consultation with DAERA NI Environment Agency.
- 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. A response from SES is currently outstanding and delegated authority is sought to deal with this issue.
- 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.
- DEARA Natural Environment Division (NED) were consulted and are content that the proposal is unlikely to significantly impact NI Priority/protected species or habitats. The proposal is therefore considered compliant with Policy NH1 and ENV1.

6.33 Noise, odour and other environmental impacts including Contamination Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of noise, air pollution, general amenity, ambient air quality, contaminated land, and other considerations.

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7.2	the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding Shared Environmental Services consultation, provided that they are not substantive.
7.1	Having regard to the local development plan and other material considerations, the proposal is considered on balance acceptable. Delegated authority is sought for the Director of Planning and Building Control to finalise
7.0	Recommendation
6.36	Noise EH offered no objection with regards to noise impacts from the development. The proposal is therefore considered to accord with Policy ENV1.
6.35	Odour Environmental Health have advised in order to avoid potential for adverse odour impact on other sensitive premises in the vicinity, the applicant should seek advice on provision of suitable, fit for purpose kitchen extraction system incorporating sufficient grease filtration and any odour control technology as deemed necessary with regard to relevant industry guidance on the control of odours from commercial type kitchens. Consequently, EH have requested condition attached to any planning permission.
6.34	Contaminated land Environmental Health (EH) is of the opinion that past land-use on or in close proximity to this proposed development will not cause a potential impact on the health of the future occupants of the proposed development.

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. The vehicular access shall be provided in accordance with Drawing No.02A uploaded to the Planning Portal 8th March 2024, prior to the operation of any other works or other development hereby permitted. The vehicular access shall be formed using returned kerbs with pedestrian crossing points (tactile paving) provided to both sides of the access. The vehicular access shall be of minimum width 5.0m.

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

3. The development hereby permitted shall not become operational hard surfaced areas have been constructed and permanently marked in accordance with Drawing N02A uploaded to the Planning Portal 8th March 2024, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure adequate provision has been made for parking within the site.

4. Prior to the commencement of operation of the hereby permitted kitchen, a kitchen extraction and odour abatement system, fit for purpose, designed in accordance with the EMAQ+ 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' guidance as updated May 2022 shall be installed to control grease, smoke, and odours from cooking operations. The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above rear main eaves height, and it shall be directed away from nearby sensitive premises.

Reason: Protection against adverse amenity due to odour

5. The hereby approved extraction and ventilation system shall be retained thereafter and must be cleaned and maintained in accordance with manufacturer's instructions to ensure compliance with condition 1 above.

Reason: Protection against adverse amenity due to odour

6. Prior to the commencement of the development hereby approved a landscape management plan shall be submitted and agreed in writing with the council. The landscape management plan should detail all soft landscaping including species, size and type, and include details of appropriate SUDs measures to assist in minimising flood risk. All agreed landscaping and SUDs measures shall thereafter be retained and managed as agreed.

Reason: In the interests of mitigating against environmental change.

7. All hard and/or soft landscaping works shall be carried out in accordance with the above 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. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which 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.

9. All landscaping works shall be carried out in accordance with the approved details on drawing no, uploaded to the planning portal on 05/02/2024. The works shall be carried out prior to the completion of the development unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

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

10. Notwithstanding the submitted details, 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.

DRAFT INFORMATIVES:

- 1. This decision relates to the following approved drawing numbers: 01A 02A 03A 04A 5
- 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	15/04/2023			
Date First Advertised	05/05/2023			
Date Last Advertised	05/05/2023			
Neighbours				