

Development Management Report

Summary	
Committee Date: 19 th March 2024	
Application ID: LA04/2023/2890/F	
Proposal: Proposed demolition of existing buildings and erection of a housing development comprising of 43No. social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.	Location: Christ the Redeemer Parish Hall and lands immediately north and west of Christ the Redeemer Church, Lagmore Drive, Dunmurray, BT17 0TG
Referral Route: Paragraph 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approval subject to conditions and Section 76 planning agreement	
Applicant Name and Address: Newpark Developments (NW) Ltd 72-74 Omagh Road Dromore Co. Tyrone BT78 3AJ	Agent Name and Address: Donna Lyle Hamilton House, 3 Joy St, Belfast BT2 8LE
Executive Summary: This application relates to Christ the Redeemer Parish Hall and lands immediately north and west of Lagmore Drive. The application seeks full planning permission for demolition of existing buildings and erection of a housing development comprising 43 social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works. The key issues for consideration of the application are set out below. <ul style="list-style-type: none"> • Principle of development • Protection of open space • Loss of community infrastructure • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Impact on the heritage assets • Climate change • Residential quality and impact on amenity • Provision of new open space • Access and transport • Environmental protection • Flood risk and drainage • Waste-water infrastructure 	

- Natural heritage
- Section 76 planning agreement

There are no objections from statutory consultees. A further response is awaited from DfI Roads in relation to the amended Private Streets Determination (PSD) drawing.

98 objections have been received. These are set out in the main report.

The proposal would provide valuable social housing for which there is a significant unmet need in this part of West Belfast. The loss of open space under Policy OS3 and loss of a community facility under Policy CI1 are considered, on balance, acceptable given the substantial community benefits derived through the provision of the social housing and provision of a Financial Developer Contribution for improving open space facilities in the area. The design of the proposed housing is considered acceptable. Sufficient parking would be provided, and the proposal would not be detrimental to highway safety.

Recommendation

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 subject to conditions and a Section 76 planning agreement to secure the development as social housing, open space management, green travel measures and Financial Developer Contribution.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and deal with any other issues that arise, including consideration of the outstanding DfI Roads consultation, provided that they are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Site Layout Plan:



Proposed Elevations Detached Houses:



Proposed Elevations Semi-detached Houses:



Proposed Elevations Apartments:



CGI:



1.0	<p>Characteristics of the Site and Area</p>
1.1	<p>The site is located immediately west of Lagmore Drive and Christ the Redeemer Parish Hall, south of Nos 3-27 Lagmore Meadows and east of Nos 37-55 Lagmore Meadows, Belfast. The site is generally flat with a gradual fall towards its western boundary. Other than existing buildings on site it is generally grassland which has been cleared of vegetation, with more dense vegetation located to its south western boundary. A watercourse runs along the western boundary of the site which has been culverted.</p>
1.2	<p>The surrounding area is predominately residential and characterised by two storey detached and semi-detached properties located at Lagmore Meadows, Lagmore Drive, and Lagmore Downs located to the north and east of the site, respectively. Immediately south of the site is Christ the Redeemer Church and beyond the church is Christ the Redeemer Primary School.</p>
1.3	<p>The current buildings on the site include the Church Hall and a temporary building to the rear of it. They currently provide community facilities for the local Girl Guides and a childcare/after schools club, 'Little Saints out of School'. The building benefits from ample parking spaces to facilitate the current uses.</p>
1.4	<p>The site is located approximately 7 miles from Belfast City Centre and has easy access to various local amenities and services via walking, cycling, and public transport. Within 400m of the site there are 8 bus stops, including the G1 Glider route which is available on the Stewartstown Road.</p>
	<p>Description of Proposed Development</p>
1.5	<p>The application seeks full planning permission for demolition of existing buildings and erection of a housing development comprising of 43 social housing units including dwellings and apartments (Cat 1), car parking, landscaping including an equipped children's play area, and all associated site and access works.</p>
1.6	<p>The scheme is on the 2023/24 NIHE social housing programme. However, satisfactory amended plans were not submitted until 13th March 2024 following issues first raised by the Planning Service in May 2023 then November 2023.</p>
2.0	<p>PLANNING HISTORY</p>
2.1	<p>Relevant planning history is summarised below.</p> <ul style="list-style-type: none"> • S/2009/0906/F- Proposed new replacement church and associated car parking, 134 spaces in church ground and 50 spaces at primary school adjoining the church site to replace the existing church and removal of temporary buildings on completion. Permission granted.
3.0	<p>PLANNING POLICY</p>
3.1	<p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>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</p>

Policy SP7 – Connectivity
 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 CI1 – Community infrastructure
 Policy DES1 – Principles of urban design
 Policy RD1 – New residential development
 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 ENV1 – Environmental quality
 Policy ENV2 – Mitigating environmental change
 Policy ENV3 – Adapting to environmental change
 Policy ENV4 – Flood Risk
 Policy ENV5 - Sustainable drainage systems (SuDS)
 Policy GB1 – Green and blue infrastructure network
 Policy OS1 – Protection of open space
 Policy OS3 - Ancillary open space
 Policy TRE1 – Trees
 Policy NH1 – Protection of natural heritage resources

Supplementary Planning Guidance

Affordable Housing and Housing Mix
 Residential Design
 Placemaking and Urban Design
 Sustainable Urban Drainage Systems
 Transportation
 Trees and Development

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)

Regional Planning Policy

Regional Development Strategy 2035 (RDS)
 Strategic Planning Policy Statement for Northern Ireland (SPPS)

Other Material Considerations

Developer Contribution Framework (2020)
Belfast Agenda (Community Plan)

4.0

CONSULTATIONS AND REPRESENTATIONS

4.1

Statutory Consultees

DfI Roads – final response outstanding to confirm the acceptability of the PSD drawings.

	<p>DfI River – no objection subject to conditions.</p> <p>DAERA – no objection subject to conditions.</p> <p>NI Water – No objection.</p> <p>NIHE – supports the proposal, accepting the principle of a full social housing scheme.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p>Planning Service Plans & Policy Unit – refer to main assessment.</p> <p>Planning Service Urban Design Officer – concerns raised about some aspects of the design of the proposal, which are addressed in the main assessment.</p> <p>Environmental Health – no objection subject to conditions.</p> <p>Shared Environmental Services (SES) – no objection subject to conditions.</p>
4.3	<p>Whilst consultees may have in some cases referred to the no longer extant Planning Policy Statements in their consultation responses, the substance of those policies remains sufficiently similar in the Plan Strategy so as not to require the consultees to re-evaluate the proposal in the context of the Plan Strategy.</p>
	<p><u>Representations</u></p>
4.4	<p>The application has been advertised in the newspaper and neighbours notified.</p>
4.5	<p>Ninety-eight objections have been received from residents within the immediate area. Concerns are raised about the following issues:</p> <ul style="list-style-type: none"> • Traffic and congestion • Parking • Parking used by parents for school drop off will be removed • Child safety with regards to traffic • Anti-social behaviour • Area densely populated • Sewage capacity • Loss of privacy • Loss of after school’s club through demolition of hall • Girl Guides can no longer use the existing hall • Impact on flora and fauna
4.6	<p>A further email was received on from the owner/operator of Little Saints out of School stating that that the developer has asked them to vacate the church hall building on 7th April. They state that as it stands the childcare facility currently do not have a space to go to facilitate approximately 100 children.</p>
5.7	<p>These issues are addressed within the planning assessment section of the report.</p>

5.0**PLANNING ASSESSMENT****Main Issues**

5.1

The main issues relevant to consideration of the application are set out below.

- Principle of development
- Protection of open space
- Loss of community infrastructure
- Housing density
- Affordable housing
- Housing mix
- Adaptable and accessible accommodation
- Design and placemaking
- Impact on the heritage assets
- Climate change
- Residential quality and impact on amenity
- Provision of new open space
- Access and transport
- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Natural heritage
- Section 76 planning agreement

Development Plan Context

5.2

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.

5.3

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.

5.4

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 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.

Operational Polices

5.5

The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above.

Proposals Maps

5.6 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.

5.7 Belfast Urban Area Plan 2001 – the site is un-zoned “white land”.

5.8 Belfast Metropolitan Area Plan 2015 (2004) – the site is located within the development limit and is ‘un-zoned’ or “white land”. To the west of the site there is a local Landscape Policy Area (LLPA) ‘Lagmore’ (ML 17).

5.9 Belfast Metropolitan Area Plan 2015 (v2014) – the site is located within the development limit and is ‘unzoned’ or “white land”.

Principle of housing in this location

5.10 Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan-period. This includes a total of 2,000 windfall homes. The proposal comprises windfall housing and so Policy HOU2 applies. Policy HOU2 requires windfall housing to be delivered on previously developed land – only part of the site is previously developed land with the remainder open space. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.

- a. **The site is suitable for housing** – the site is located within a residential area. Consideration of the loss of open space and a community use are discussed below. Subject to consideration of those issues, the proposal is considered to suitable for housing.
- b. **The location is accessible and convenient to public transport and walking cycle infrastructure** – the site is located approximately 7 miles from Belfast City Centre and has easy access to various local amenities and services via walking, cycling, and public transport. Within 400m of the site there are eight bus stops, including the G1 Glider route which is available on the Stewartstown Road. The proposal is considered to satisfy this criterion.
- c. **Provision is made for any additional infrastructure required as a result of the development** – suitable infrastructure is considered to be in place other than the requirement for enhanced off-site open space to help mitigate for the loss of open space from the site. This is discussed in the following section of the report.

5.11 The proposal largely complies with Policy HOU2 although the entire site is not previously developed land – part of the site is open space and this is considered in the following section of the report. Subject to consideration of the loss of open space and community facility below, the site is considered an acceptable location in principle for new housing.

Protection of open space

- 5.12 Policy OS3 states that development resulting in the loss of open space on lands specifically identified for these uses in the LDP 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 the open space.
- 5.13 Part of the site has previously been developed to provide a church hall with associated temporary buildings and car parking. Aside from these elements, there are open areas that currently appear to be unmanaged scrub areas generally located to the rear (north and west) of a palisade fence that crosses to the rear of the operational church. There is a smaller unmanaged open space area to the rear of the temporary buildings that is also proposed to be developed.
- 5.14 Irrespective of their current condition, all areas of open space close to the western and northern boundaries of the site and to the rear of the temporary buildings are considered to be protected open space. In this regard, the Plan Strategy defines 'open space' as: *'...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'*. Approximately half of the site is considered open space and there is a policy presumption against its loss.
- 5.15 The proposal is for the provision of 100% social housing. A consultation response from Northern Ireland Housing Executive advises that there is a strong demand especially for family homes in the social housing sector within the Lagmore area (see Affordable Housing section of the report). The provision of Category 1 apartments for the elderly population offers the opportunity for households to move to more appropriate accommodation for their needs and in turn further support further provision of their previous homes to those in need.
- 5.16 In addition, as identified during the PAD process, the applicant has been requested to provide a Financial Developer Contribution for improving open space in the local area as part of the mitigation for the loss of open space from the site. An area of land at Twinbrook to the east has been identified by the Council's Landscape and Development team as benefiting from improvements including improvements to the access; boundary treatment; bins; lighting and so forth. It considers that those lands serve the wider locality and is a route to the east side of the A512 and Upper Dunmurry. The applicant has agreed to make a financial Developer Contribution of £27,500 towards these improvements (this sum will need to be index linked to the date of the Committee) and would need to be secured by means of a Section 76 planning agreement.
- 5.17 It is considered that the delivery of this quantum of social housing, in combination with the Financial Developer Contribution to improve open space amenity in the locality, would bring substantial community benefits that decisively outweigh the loss of open space, compliant with Policy OS1.

Loss Of Community Infrastructure

- 5.18 Policy CI1 outlines a policy presumption against the development of existing community infrastructure or lands identified for such use for alternative uses. Proposals for alternative uses will require to demonstrate that the existing facility/designated site is no longer required and that alternative arrangements are in place to ensure no significant diminution of community infrastructure provision.

5.19	Lagmore Church Hall and the other associated buildings which are to be demolished as part of the proposal are currently occupied by the Girl Guides and 'Little Saints Out of School' which is a childcare facility/after school club. The applicant has stated that the developer, Newpark, has agreed to let the Girl Guides and childcare facility continue to make use of the hall until a determination has been made on the application. It is the applicants understanding that the Girl Guides have opportunity to access the other hall facilities on the Church site next door to the development proposal but are currently investigating potential use of the community forum building next door. The Childcare provider have apparently also been offered land adjacent to the Church by the Diocese for the establishment of the childcare facility.
5.20	However, no clear evidence has been provided that alternative arrangements for the Girl Guides and childcare facility are in place. It is clear from the objection from the childcare provider that a need for the community building remains. The proposal is therefore contrary to Policy CI1. Notwithstanding, taking into account the substantial community benefit of social housing provision as a result of this application, and in the planning balance, it is considered that this outweighs the loss of the above community uses.
<p><u>Housing density</u></p>	
5.21	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.22	The site is located within outer Belfast and therefore, the average density band of 25-125 dwellings per hectare (dph) for Outer Belfast Character Area applies. Given the site area of around 1 ha, the proposed density equates to 41dph, demonstrating that it would make effective use of land. The density of the proposal is considered in keeping with the general character of the area and the proposal is considered to accord with Policy HOU4.
<p><u>Affordable housing</u></p>	
5.23	Policy HOU5 of the Plan Strategy requires housing schemes of 5 units or more, or sites of 0.1 hectares or greater, to deliver a minimum 20% affordable housing. Therefore, the proposal is required to deliver at least 9 affordable homes (rounded up). The scheme seeks full permission for 43 social housing units, meeting the policy requirement.
<p><i>Tenure</i></p>	
5.24	<p>However, the application is a 100% social housing scheme and the Affordable Housing and Housing Mix SPG seeks to avoid mono-tenure housing of this scale in the interests of sustainable and balanced communities. Notwithstanding, paragraph 4.4.14 of the SPG states that larger mono-tenure schemes (such as that proposed) may be considered having regard to the following considerations:</p> <ul style="list-style-type: none"> • <i>'The level of social housing need in the vicinity of the site and the availability of land to address such needs;</i> • <i>The wider tenure and characteristics of an area, in order to minimise large areas of single tenure social housing; and</i> • <i>Whether a scheme is proposed as 'shared housing'</i>
5.25	Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast. NIHE advises that the housing needs assessment shows an unmet social housing need of 784 social housing units for Outer West Belfast. As of March 2023, there were 770 households in housing stress. NIHE has confirmed that the

	proposal is on its 2023/24 social housing programme. However, it has been advised that the application has been significantly delayed by the delays in the applicant providing satisfactory amended plans.
5.26	Turning to the second and third criteria, there is already significant social housing in the immediate area and there is no evidence that the proposal is for shared housing. The proposal would therefore unlikely contribute to a sustainable and balanced community. Nevertheless, regard is had to NIHE's support for the proposal and that the scheme includes a large number of family homes for which there is a particular need in this location. Furthermore, regard is had to the longevity of the application, which was submitted in March 2023, prior to adoption of the Plan Strategy, and preceded by a Pre-Application Discussion (PAD) submitted in December 2021. Having regard to these factors, and on balance, the proposed tenure mix is considered acceptable.
	<u>Housing mix</u>
5.27	Policy HOU6 applies. It requires that provision should be made for small homes across all tenures to meet future household requirements and that the exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of: <ul style="list-style-type: none"> a. Up to date analysis of prevailing housing need in the area; b. The location and size of the site; c. Specific characteristics of the development; and d. The creation of balanced and sustainable communities.
5.28	The requirement for a mix of house types will not apply to single apartment developments such as the proposed apartments. In such cases, the housing mix will be considered acceptable through greater variety in the size of units.
5.29	The proposal is considered to represent a reasonable housing mix with 1, 2 and 3 bedroom units, including family homes, which are welcomed in particular given the unmet need for larger social housing units. NIHE is supportive of the housing mix. Having regard to these factors, the proposed housing mix is considered acceptable.
	<u>Adaptable and accessible accommodation</u>
5.30	Policy HOU7 requires that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life. Policy HOU7 sets six criteria (a. to f.) to be met in order to help deliver adaptable and accessible homes. The applicant has provided evidence that these criteria are satisfied.
5.31	The policy also requires that at least 10% of units in residential developments of 10 units or more are wheelchair accessible and provides an additional nine criteria (g. to o.) with which these units should accord. The proposal includes 5 wheelchair accessible units (over 10%) wheelchair units, including 2 apartments and 3 houses as set out at Appendix 1. It is considered that the proposal complies with the additional nine criteria g. to o. Policy HOU7 is therefore satisfied.
	<u>Design and placemaking</u>
5.32	The proposal has been assessed against the SPPS, and Policies SP5, DES1 and RD1. Policies SP5 and DES1 promote good placemaking, high quality design and the importance of proposals responding positively to local context addressing matters such as scale height, massing, proportions, rhythm, and materials avoiding any negative impact at street level.

	<i>Housing Units:</i>
5.33	The proposed layout is considered to be reflective of similar developments within the surrounding area and would not appear incongruous when viewed within the street scene. The layout follows the linear arrangement seen to the north and west of the site along Lagmore Meadows. There are a mix of detached and semi-detached dwellings, with both front and rear gardens, and associated parking with each dwelling. The associated material primarily comprises buff facing brick (stretcher and stack bond) alongside white framed windows with cills, which is reflective of those properties within the wider context.
5.34	The proposed height of the semi-detached dwellings is approximately 5.13m to the eaves and 7.70m to the ridge. The proposed height of the detached dwellings is approximately 5.15m to the eaves and 8.80m to the ridge. Each of the dwellings benefits from rear back gardens enclosed by timber fencing. To the front of each of the sites there are driveways to the side and front gardens with metal railings for a sense of enclosure and security. There is an exception of parking to the front of plots 18-21, however, on balance this is considered acceptable due the provision of green spaces and landscaping between each plot to minimise hardstanding.
	<i>Apartments:</i>
5.35	The proposed height of the apartment block is approximately 11.41m. The materials are to match those of the dwellings. Concerns were originally raised by officers in relation to overdevelopment, poor outlook and parking. Following negotiations with the applicant, amendments have been received, which overcome these concerns. The apartment building has been moved from the north-eastern boundary to increase the separation distance to 3.7m with the existing church site boundary. This has in turn resulted in the provision of windows and a more appropriate outlook for the apartments proposed on this part of the site.
5.36	The proposed parking layout has been amended to further increase green space and planting along the north facing elevation. Private defensible space has been provided for the ground floor apartments in the form of 1m high galvanised metal railing and low-level box hedging introduced to define defensible space. A green wall is proposed between the boundary of the church site and application site which is welcomed, however, further details are awaited. This can be dealt with by way of condition.
5.37	Following revisions, the design and layout of the proposal is considered acceptable, having regard to Policies SP5, DES1 and RD1, and relevant provisions of the SPPS.
	<u>Climate change</u>
5.38	Policy ENV2 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. Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change.
5.39	The proposal includes various sustainable design features which seek to mitigate and adapt to environmental change. These measures include the orientation of all units to optimise solar gain, light and ventilation. Large windows openings have been introduced within facades to help flood internal spaces with natural light where achievable. Trickle vents are also incorporated into the windows to provide the required background ventilation calculations for each unit, and the overall scheme has been developed and

	<p>based on the ‘fabric first’ approach, with 125mm cavities and high-quality full fill wall insulation proposed. Air tightness will be maximised across the units in line with Design Stage SAP Calculations and attenuation systems will be provided to control the flow of storm water from the site. These measures can be secured by condition.</p>
5.40	<p>Policy ENV2 seeks to re-use existing buildings where possible for environmental reasons. The proposal involves demolition of the existing church hall; this is considered acceptable in this case because of the overriding benefits of delivering social housing.</p>
5.41	<p>Policy ENV5 states that all built development shall include, where appropriate, SuDs measures to manage surface water effectively on site, to reduce surface water run-off and to ensure flooding is not increased elsewhere.</p>
5.42	<p>Whilst the proposal is not considered fully compliant with Policy ENV5, regard is had to the importance of progressing the application which is on the 2023/24 NIHE social housing programme and that further details of SuDS can be secured by way of condition.</p> <p><u>Residential quality and impact on amenity</u></p>
5.43	<p>Policies DES1 and RD1 highlight the need to minimise the impact of overshadowing and loss of daylight on both new and existing residents and the promotion of quality residential environments. They also highlight that planning permission will be granted for proposals which create a quality and sustainable residential environment.</p>
5.44	<p>There is a separation distance of over 20m from Units 1 to 18. From Units 19 to 23 the separation distance is between 17.5m to 19.5m to Lagmore Meadows. The rear gardens will benefit from timber fencing and tree planting along the boundary with Lagmore Meadows which will alleviate any concerns regarding overlooking or loss of privacy. The separation distances and location of the proposed houses also ensure there will be no loss of light or overshadowing onto neighbouring properties. The apartment block has been sited to ensure no issues relating to dominance or overlooking occur. It is considered that the design, layout and separation distances proposed are acceptable and would not impinge on residential amenity via overlooking, dominance, loss of light or overshadowing.</p>
5.45	<p><i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential unit for apartment buildings. The amenity space for the private amenity space associated with the apartments provides 41.65 sqm on average per dwelling. This is greater than the 10-30sqm recommended within <i>Creating Places</i>. Given the characteristics of the proposal and site, this is considered acceptable.</p>
5.46	<p>In terms of the houses, the gardens of Units 18, 19, 20 and 23 are below the space standards in <i>Creating Spaces</i> of 70 sqm. The garden sizes of these units are shown in the table overleaf. However, given the overall average garden size of 86 sqm, which exceeds the standard, together with the benefits of the scheme, on balance, the smaller garden size of these units is considered acceptable.</p>

Houses

Location	Accommodation	Size (sqm)
Plot 18	3P2B	58.13
Plot 19	3B2B	59.75
Plot 20	3P2B	64.71
Plot 23	5P2B	54.85
TOTAL		1.978.12
AVERAGE		86 sqm

Garden space standards

Space standards:

5.47 The proposed residential units for both the housing units and apartments are in accordance with the minimum space standards as set out in Appendix C of the Plan Strategy.

5.48 It is considered that the proposal meets the requirements of Policies RD1 and DES1.

Provision of new open space

5.49 Policy OS3 requires that all new development proposals make appropriate provision for open space, including hard and soft landscaped areas and outdoor amenity areas, to serve the needs of the development. The precise amount, location, type and design of such provision will be negotiated with applicants taking account of the specific characteristics of the development, the site and its context and having regard to a) the normal expectation will be at least 10% of the total site area; and b) complementary and ancillary equipment and facilities, including for active or passive enjoyment of residents or occupiers, should be incorporated into the design of the development.

5.50 Furthermore, planning permission will only be granted for proposals for new residential development of 25 or more units, or on sites of one hectare or more, where public open space is provided as an integral part of the development.

5.51 Approximately 10% of the total site area would be public open space provision for the enjoyment of future residents. This includes a children's playpark and a linear path which is throughout the site. Both elements are incorporated into the design of the development. It should be noted that an equipped play park is not a policy requirement for schemes of this scale and so its provision is welcomed.

5.52 The proposal complies to Policy OS3.

Access and transport

5.53 In relation to Policy TRAN1, the site is a reasonably accessible location with access to public transport and local amenities. Cycle parking is to be provided for the apartment development.

5.54 Policy TRAN 2 states that the design of new developments must take account of the specific needs of people with disabilities and others whose mobility is impaired. The proposal includes ease of access to reserved parking within the housing units. Within the

	apartment units, there are disabled parking spaces. The application is considered to be compliant to Policy TRAN 2.
5.55	Policy TRAN4 states that planning permission for development proposals with significant travel generating uses will require a travel plan. The application is supported by a travel plan, which sets out a range of measures and targets aimed at promoting sustainable travel within the development. The travel plan and green travel measures would be secured by means of a Section 76 planning agreement. The travel plan measures are considered acceptable having regard to Policy TRAN4 and DfI Roads have conditioned that the development shall operate in accordance with the Travel Plan.
5.56	In relation to Policy TRAN6, DfI Roads 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.
5.57	Turning to Policy TRAN 8, it is considered that adequate parking has been provided for the proposal. There are two spaces per dwelling apart from Units 19 and 20 which have one space. This is considered satisfactory. The apartment units have been provided with 16 spaces, including 2 disabled parking bays. Although this provision is not 1:1, DfI Roads has offered no objections to the provision of parking. It is considered adequate given the location and choice of other transport modes available and the Travel Plan, which will promote alternative forms of transport to the use of private cars.
5.58	The design of the car parking is considered satisfactory and compliant with Policy TRAN10.
5.59	DfI Roads offers no objection to the proposal, which is considered acceptable with regards to highway safety, traffic progression and parking. However, confirmation is awaited from DfI Roads on the acceptability of very recent amendments to the Private Streets Determination (PSD) drawing – delegated authority is sought to deal with this point. The proposal is considered acceptable having regard to Policies TRAN1, TRAN 2, TRAN4, TRAN6, TRAN 8 and TRAN 10.
	<u>Environmental protection</u>
5.60	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.
5.61	Environmental Health (EH) has advised that contamination risks can be dealt by way of conditions. It has not raised any concerns with regards to air quality or noise. Having regard to the advice from EH, the proposal is considered compliant with Policy ENV1.
	<u>Flood risk and drainage</u>
5.62	Policy ENV4 states that planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The Council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.

5.63	DfI Rivers has reviewed the submitted Drainage Assessment which indicates that flood risk to and from the development will be appropriately managed. DfI Rivers, while not being responsible for the preparation of the Drainage Assessment, accepts its logic and has no reason to disagree with its conclusions.
5.64	DfI Rivers offer no objection, provided that there is a suitable maintenance strip in place up to 10m where considered necessary – DfI Rivers acknowledges a working strip for the culvert is to be retained. The proposal is considered to comply with Policy ENV4.
<u>Waste-water infrastructure</u>	
5.65	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water offers no objection, advising that there is available capacity at the Wastewater Treatment Works and suitable network capacity. The proposal is acceptable having regard to Policy SP1Aa of the Plan Strategy.
<u>Natural heritage</u>	
5.66	Policy NH1 relates to the protection of natural heritage resources.
5.67	A consultation was sent to DAERA Natural Environment Division (NED) regarding protected badger setts. A response from NED has confirmed that they are content that the plans show no works occurring within the 25m protection zones and is therefore content that the proposed development is unlikely to significantly impact the local badger group. NED advises that a condition should be attached to the decision notice. NED is also content with the assessment of the bat roosting potential of the buildings proposed to be demolished. It notes that should evidence of roosting bats be found during works, all must stop and advise should be sought from NIEA Wildlife Team. An informative will be added to the decision notice to this effect.
5.68	NED notes that some vegetation may require removal and advises that the vegetation on the site may support breeding birds. All wild birds and their nests are protected. NED therefore advises that any removal of buildings/structures and vegetation on site should be undertaken outside the bird breeding season which occurs from 1st March to 31 st August or checked by a suitably qualified ecologist with protective measures undertaken if any active nest is found.
5.69	Subject to appropriate conditions, the proposal is considered compliant with Policy NH1, Policy ENV1 and the relevant provisions of the SPPS.
<u>Section 76 planning agreement</u>	
5.70	<p>If the application is approved, it should be subject to the finalisation of a Section 76 planning agreement to secure the following planning obligations. These are considered necessary to make the proposed development acceptable.</p> <ul style="list-style-type: none"> • Social housing – to require the delivery of all 43 residential units as social housing as part of the off-set for the loss of open space and community facilities; • Management of the open space, play equipment and common parts of the site; • Travel Plan and green travel measures; • Financial Developer Contribution of £27,581 (index linked) towards enhanced open space amenities in the area.

<p>6.0</p> <p>6.1</p> <p>6.2</p> <p>6.3</p>	<p>Recommendation</p> <p>The proposal would provide valuable social housing for which there is a significant unmet need in this part of West Belfast. The loss of open space under Policy OS3 and loss of a community facility under Policy CI1 are considered, on balance, acceptable given the substantial community benefits derived through the provision of the social housing and provision of a Financial Developer Contribution for improving open space facilities in the area. The design of the proposed housing is considered acceptable. Sufficient parking would be provided, and the proposal would not be detrimental to highway safety.</p> <p>It is recommended that planning permission is granted.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, subject to final comments from DfI Roads, and deal with any other matters that arise, provided that they are not substantive.</p>
<p>7.0</p>	<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> 2. No external facing or roofing materials shall be constructed or applied unless in accordance with a written specification and a physical sample panel, details of which shall have first been submitted to and approved in writing by the Council. <p>The sample panel shall be provided on site and made available for inspection by the Council for the duration of the construction works.</p> <p>The sample panel shall show the make, type, size, colour, bond, pointing, coursing, jointing, profile and texture of the external facing materials.</p> <p>Reason: In the interests of the character and appearance of the area.</p> 3. No development or works shall commence (including site clearance and site preparation) unless protection zones, which are clearly marked with posts joined with hazard warning tape, have been provided around each badger sett entrance at a radius of 25 metres as shown on Drawing number 02B published to the Planning Register on 26 October 2023. No works, vegetation clearance, disturbance by machinery, dumping or storage of materials shall take place within the protection zones without a Wildlife Licence has been obtained from DAERA NIEA. The protection zones shall be retained and maintained in accordance with the requirements of this condition until all construction activity has been completed on site. <p>Reason: To safeguard badgers, a protected species.</p> 4. The development hereby approved shall not be occupied unless a scheme for the provision of play equipment to be provided as part of the open space have been submitted to and approved in writing by the Council. The play equipment shall be implemented in accordance with the approved details prior to occupation of the development and retained as such at all times.

Reason: To ensure that appropriate provision is made for children's play equipment.

5. 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 a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Council. The scheme shall include a programme for implementation of the works and proposals for future maintenance and management. The development shall not be carried out unless in accordance with the approved SUDS scheme, which shall be retained as such thereafter.

Reason: To ensure sustainable drainage of the development, having regard to Policy ENV4 of the Belfast LDP Plan Strategy 2035. Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

6. Notwithstanding the submitted details, no development shall commence unless final details of climate change measures to mitigate and adapt to climate change, including those relating to the design of the building and SuDS, have been submitted to and approved in writing by the Council. The development shall not be occupied unless the climate change measures have been implemented in accordance with the approved details. The climate change measures shall be retained in accordance with the approved details at all times.

Reason: To mitigate and/or adapt to climate change.

7. All hard and soft landscaping works 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. Notwithstanding the submitted details, the development hereby permitted shall not be occupied until details of boundary walls including the living wall, fences or other means of enclosure have been submitted to and approved in writing by the Council. The development shall not be occupied unless the boundaries have been implemented in accordance with the approved details and shall be permanently retained as such thereafter.

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

9. The development hereby approved shall not be occupied 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.

10. 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.

11. No development shall commence on site (other than that required to fulfil this condition) unless the visibility splays have been provided in accordance with the approved plans. Within the visibility splays, there shall at no time be obstruction to visibility above 250mm as measured from ground level.

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

12. The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory and safe means of access.

13. 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.

APPENDIX 1

Space standards

Housing:

Table 1

Accommodation Type	Specialised Housing Type	Size per unit (Sqm)	Number of Units
5 person 3 bedroom house	Wheelchair accessible	130.9sqm	3
5 person 3 bedroom house	General needs	93.46sqm	8
3 person 2 bedroom house	General needs	74.48sqm	12
Total			23

Apartments :

Table 2

Accommodation Type	Specialised housing type	Size per unit (Sqm)	Number of Units
3 person 2 bedroom apartments	Cat 1 Wheelchair accessible	86.73sqm	1
3 person 2 bedroom apartment	Cat 1	61.35sqm	16
2 person 1 bedroom apartment	Cat 1	65.16sqm	2
2 person 1 bedroom apartment	Cat 1 Wheelchair accessible	53.41sqm	1
Total			20