

Committee report

Development Management Report	
Committee Date: 10 th December 2024	
Application ID: LA04/2024/0122/F	
Proposal: Proposed mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.	Location: Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG
Referral Route: Application for Major development	
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 BT783AJ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Date Valid: 19 th January 2024	
Target Date: 16 th August 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: <p>The application seeks full planning permission for mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none">• Principle of housing and community facility in this location• Housing density• Affordable housing• Housing mix• Adaptable and accessible accommodation• Design and placemaking• Public realm• Impact on heritage assets• Climate change• Residential quality and impact on amenity• Open space• Access and transport• Health impacts• Environmental protection	

- Flood risk and drainage
- Section 76 planning agreement
- Pre-application Community Consultation

The site is within the settlement limits for the city and un-zoned “white land” within the most recent version of draft Belfast Metropolitan Area Plan 2015 (v2004). PAD ref. LA04/2022/0965/PAD was submitted prior to this full application.

The site is a suitable location for housing being within a generally residential area; the proposal would make effective use of previously developed land; i.e. site of a former school/college building.

The height, scale and massing of the proposed buildings are in keeping with the surrounding area.

The proposal would provide dedicated in-curtilage and off-street parking, the site is in a highly sustainable location with access to public transport.

NIHE is supportive of the social housing proposals. Statutory and Non-statutory consultees in general support for proposal.

No third-party objections have been received.

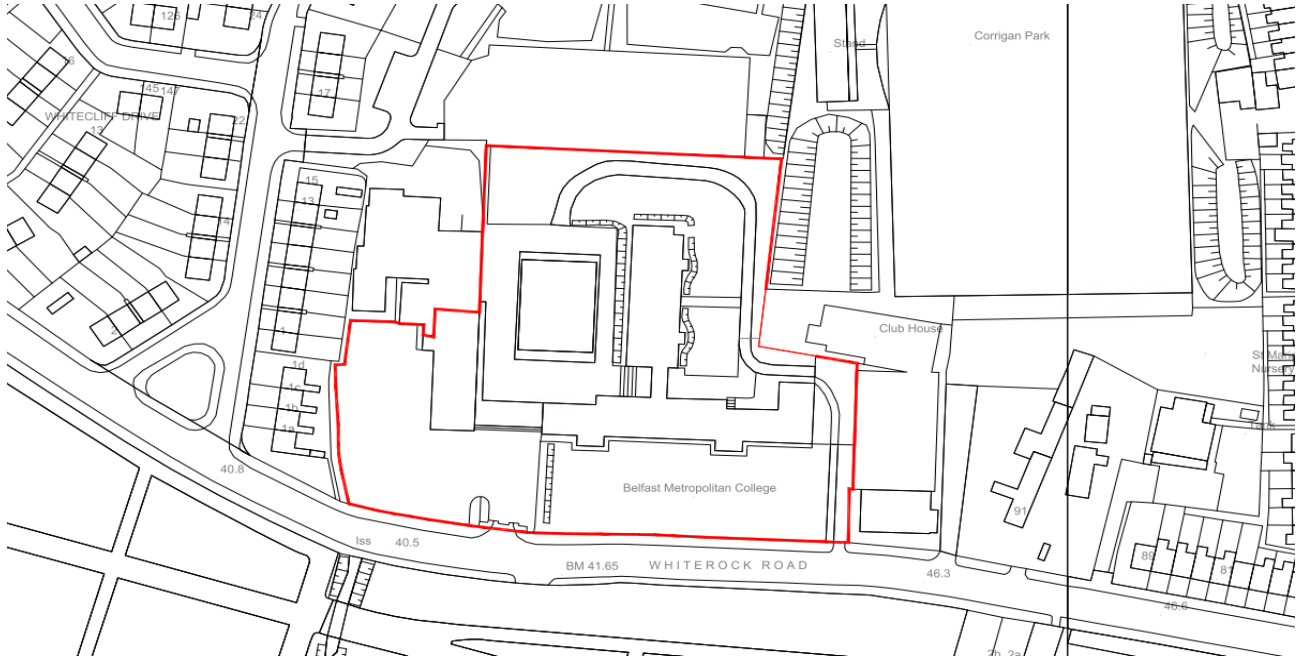
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement.

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, provided the issues are not substantive.

DRAWINGS AND IMAGERY

Site Location Plan:



Proposed site layout:



Proposed children centre elevation:



Proposed Apartment block A elevations:



Proposed Apartment block B elevations:



PROPOSED FRONT ELEVATION

1-100



PROPOSED SIDE ELEVATION

1-100



PROPOSED FRONT ELEVATION

1-100



PROPOSED SIDE ELEVATION

1-100

Proposed Apartment block C elevations



PROPOSED FRONT ELEVATION

1-100



PROPOSED SIDE ELEVATION

1-100



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION

1-100

Proposed house type A & B



1.0

Characteristics of the Site and Area

1.1

The site is a former school and college. Currently on site, there are two buildings, one containing the Whiterock Childrens Centre on the eastern portion of the site and the other building is a boxing club on the western portion. The topography of the site has two distinct levels with the children centre occupying the higher area. Given the previous use of the site, there is a substantial steel fence enclosing the site. The surrounding character is mixed, consisting of residential, community infrastructure and a large cemetery on the opposite side of the Whiterock Road (to the south of the site).

1.2

Description of Proposed Development

The application seeks full planning permission for mixed use development comprising of 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and all associated site and access works.

2.0

PLANNING HISTORY

2.1

No relevant planning history, however the proposed development was subject to Pre-Application discussion (PAD) and Proposal of Application Notice (PAN):

LA04/2022/0965/PAD - Mixed used development, 61 social housing units, children's centre, car parking, landscaping, open space and associated site works. PAD concluded

LA04/2023/2658/PAN Proposed mixed use development comprising of c. 62No. social housing units (mix of dwellings and apartments) and a new children's centre, car parking, landscaping, open space and associated site and access works.

3.0	PLANNING POLICY
3.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p><i>Strategic Policies:</i></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 Policy SP7 – connectivity Policy SD2 – Settlement Areas</p> <p><i>Operational Policies:</i></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 Policy RD1 – New residential developments Policy CI1 – Community Infrastructure Policy BH1 – Listed Buildings Policy BH5 – Archaeology Policy HC1 – Promoting healthy communities 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 OS3 - Ancillary open space</p>
3.2	<p><u>Supplementary Planning Guidance</u></p> <p>Affordable Housing and Housing Mix Residential Design Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p>
3.3	<p>Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP</p>

<p>3.4</p> <p>3.5</p>	<p>Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations Developer Contribution Framework (2020) <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p> <p>4.2</p> <p>4.3</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DFI Roads – No objection, subject to conditions. DFI Rivers Agency – No objection NIEA – No objection NI Water – No objection NIHE – Supports the proposal for social housing.</p> <p><u>Non-Statutory Consultees</u></p> <p>BCC Urban Design – Generally supportive. Concerns over location of open space. Environmental Health – No objection, subject to conditions. BCC Landscape and Development team – Supports the proposal, content with landscape management report, tree planting and outdoor gym.</p> <p><u>Representations</u></p> <p>The application has been advertised in the press and neighbours notified.</p> <p>One non-committal representation has been received from Belfast Hills Partnership, offering comments on native planting should be used, protection of a nearby watercourse from pollution and supporting reduction in hardstanding.</p>
<p>5.0</p> <p>5.1</p>	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of housing and community facility in this location • Housing density • Affordable housing • Housing mix • Adaptable and accessible accommodation • Design and placemaking • Public realm • Climate change • Residential quality and impact on amenity • Open space • Access and transport • Health impacts

- Environmental protection
- Flood risk and drainage
- Waste-water infrastructure
- Section 76 planning agreement
- Pre-application Community Consultation

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 remain part of the statutory local development plan until the Local Policies Plan is adopted.

Operational Policies

5.5 The Plan Strategy contains a range of operational policies relevant to consideration of the application. These have been listed above at para 3.1.

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.

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

Belfast Metropolitan Area Plan 2015 (v2004) – the site is un-zoned “white land” within the settlement limits

Belfast Metropolitan Area Plan 2015 (v2014) – the site is un-zoned “white land” within the settlement limits.

Principle of housing and community facilities in this location

5.7 Policy HOU1 of the Plan Strategy sets out the housing requirements for the plan period. This includes a total of 18,100 homes within the ‘rest of Belfast city’ and 2,000 windfall

	homes. The proposal is located within a previously developed site (windfall) within 'rest of Belfast city'.
5.8	Policy HOU2 requires windfall housing to be delivered on previously developed land, such as the application site. Policy HOU2 goes onto require that such proposals also satisfy three criteria discussed below.
5.9	<p>The site is suitable for housing – the site is a sustainable location and considered suitable in principle for housing.</p> <p>The location is accessible and convenient to public transport and walking cycle infrastructure – the site is close to cycling / walking routes and is highly accessible to shops, services, amenities and public transport.</p> <p>Provision is made for any additional infrastructure required as a result of the development – suitable infrastructure is in place.</p>
5.10	The proposal is for social housing in the form of two storey semi detached housing and apartment blocks. The proposal will provide quality housing that will add to the variety of housing stock offered in this location.
5.11	The proposal is considered compliant with Policies HOU1 and HOU2 and the principle of housing in location is considered acceptable.
5.12	The provision of a Childrens Centre is also part of the proposal. There is an existing Childrens Centre within the application site. Provision of community facilities are considered in accordance with policy CI1. Policy CI1 states that all proposals shall ensure there is no unacceptable impact on residential amenity or natural / built heritage and satisfactory arrangements are provided for access for all, including pedestrians, cyclists and public transport. All of these issues will be discussed later in the report.
	<u>Housing density</u>
5.13	Policy HOU4 seeks to promote appropriate housing densities to ensure effective use of land, a finite resource, in sustainable locations.
5.14	The proposal is for 62 dwelling units in a location where the average density should be 25-125 dwellings per hectare (ha). The site area is 1.33 ha therefore the proposed development equates to a density of 47 dwellings per ha, compliant with Policy HOU4.
	<u>Affordable housing</u>
5.15	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.
5.16	<p>In this case, the application is seeking planning permission for solely social rented housing exceeding the minimum of 20%. To this regard, the proposed tenure for the application is a 100% social rented housing scheme. The SPG seeks to avoid mono-tenure housing in the interests of sustainable and balanced communities. Paragraph 4.4.12 of the SPG states that larger mono-tenure schemes 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;</i> • <i>Whether a scheme is proposed as 'shared housing'</i>

5.17	Dealing with the first criterion, NIHE supports the application, citing a significant unmet need in Belfast, <i>'this proposed development is located within Inner West Belfast Housing Need Area which has an unmet need of 1,143 social housing units for the 2023-28 period. At June 2024 there were 1,136 households in Housing Stress'</i> .																		
5.18	<p>However, 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. Nevertheless, regard is had to the strong support for the proposal from NIHE and the largely supportive response from the local community for affordable housing during the pre-application community process. Having regard to the above, on balance, the proposed mono-tenure housing is acceptable.</p> <p><u>Housing mix</u></p>																		
5.19	<p>Policy HOU6 applies. It requires that provision should be made for a suitable mix of house types and sizes to promote choice and assist in meeting community needs. Provision should particularly be made for smaller homes across all tenures to meet future household requirements. The exact mix of house types and sizes will be negotiated on a case-by-case basis, taking account of:</p> <ul style="list-style-type: none"> • Up to date analysis of prevailing housing need in the area; • The location and size of the site; • Specific characteristics of the development; and • The creation of balanced and sustainable communities. 																		
5.20	<p>The proposed housing mix is shown in the table below.</p> <table border="1" data-bbox="300 1106 1302 1435"> <thead> <tr> <th>House Type</th> <th>Total</th> <th>Size (Sqm)</th> </tr> </thead> <tbody> <tr> <td>5 Person 3 Bedroom Dwelling</td> <td>8</td> <td>90-95</td> </tr> <tr> <td>3 Person 2 Bedroom Dwelling</td> <td>18</td> <td>70-75</td> </tr> <tr> <td>3 Person 2 Bedroom Apartments</td> <td>34</td> <td>60-65</td> </tr> <tr> <td>2 Person 1 Bedroom Apartments</td> <td>2</td> <td>50-55</td> </tr> <tr> <td>Total</td> <td>62</td> <td></td> </tr> </tbody> </table>	House Type	Total	Size (Sqm)	5 Person 3 Bedroom Dwelling	8	90-95	3 Person 2 Bedroom Dwelling	18	70-75	3 Person 2 Bedroom Apartments	34	60-65	2 Person 1 Bedroom Apartments	2	50-55	Total	62	
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5.21	<p>As shown in the table above, the proposal is for four dwelling types designed to meet a social housing need identified by NIHE within this area of west Belfast. It is therefore considered to accord with the provisions of policy HOU6.</p> <p><u>Adaptable and accessible accommodation</u></p>																		
5.22	<p>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 policy also requires that at least 10% of units in residential developments, of 10 units or more, to be wheelchair accessible and provides an additional nine criteria (g. to o.) which these units must meet. The applicant has provided acceptable evidence to demonstrate that the proposal is in accordance with criteria a. to f.</p>																		
5.23	<p>The proposal includes over 10% wheelchair accessible units (7 no. units total). Criteria h. stipulates that in-curtilage or designated car parking meets disabled parking standards. Criterion i. states that pathways should be wide enough to accommodate a</p>																		

	<p>wheelchair and have a firm surface of gently sloping surface. The proposed development comprises amenity areas with associated hard landscaped public realm space; it is considered these areas will be able to accommodate wheelchairs. All surfaces are level or gently sloping. The proposal is considered to be compliant with Policy HOU7.</p> <p><u>Design and placemaking</u></p>
5.24	<p>The proposal has been assessed against the SPPS, Creating Places and Policies SP5, DES1, DES2 and RD1 of the LDP: Plan Strategy (PS). 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. Policy DES2 advocates adopting a holistic approach to site layout that is mindful of adjacent development.</p>
5.25	<p>Policy DES1 states that planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking and goes onto list 11 criteria, (a) to (k). The proposed development is comprised of three distinct elements: a children's centre, 3 storeys apartment blocks and 2 storey housing. The proposal has been designed with the children's centre, and apartment block fronting onto the Whiterock Road creating a strong presence onto the frontage and reflecting the strong presence that the previous school buildings had on the street. The two storey housing progressing into the site is reflective of the neighbouring surrounding housing. The design therefore complies with criterion (a) & (b) of policy as it responds positively to the local context and character and reinforces a sense of place. The simplicity of the site layout, the level of enclosures and open space promotes a clear and understandable urban form and creates an adaptable well connected public realm that will offer a welcoming environment for pedestrians. The orientation of the buildings offers a natural surveillance of the public realm within the site. The above measures ensure that criteria (c) to (e) of policy is satisfied.</p>
5.26	<p>Criterion (f) of Policy DES1 requires the promotion of a diversity of land uses and active frontages to ensure vibrancy throughout the day. As a residential proposal with a childrens centre, the design provides active frontages which contribute to a vibrant environment throughout the day and evening. Proposals are expected to promote efficient use of land; this is achieved through an appropriate housing density on land previously developed.</p> <p><i>Public realm:</i></p>
5.27	<p>The proposal is considered to create an adaptable public realm which ties in with the existing area. The proposal incorporates various hard and soft landscaping features, including a community pocket garden, outdoor gym and parklets which also contributes to supporting health lifestyles. The Urban design officer has concerns with the location of open space and its usability for the local residents, advising it is peripheral edge of site location is not convenient or accessible.</p>
5.28	<p>Officers are of the opinion that the open space provision is within policy requirements. The comments of the Urban Design officers regarding location of open space is noted, however there are a number of areas of communal open space throughout the development. It is considered each of the apartment blocks are in close proximity to at least one quality area of open space. 36 apartments in total are proposed, with a total provision of amenity space measuring approx. 1450 sqm, equating to an average of 37 sqm per apartment, in excess of the standards set out in <i>Creating Places</i>.</p>

	<p><u>Climate change</u></p>
5.29	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.
5.30	The applicant has provided details on the various sustainable design features which will be incorporated in the development. These include highly insulated 125mm cavity walls, airtightness that complies with lifetime home requirements, the orientation of buildings to maximise solar gain and larger windows, where appropriate, to maximise natural lighting to the internal space.
5.31	Policy ENV3 states that planning permission will be granted for development that incorporates measures to adapt to environmental change. The proposal is considered to meet criteria (b) in that the proposal incorporates various hard and soft landscaping elements. Criteria (c) is met as the buildings are located outside of the 1:100 year flood plain and sited on elevated ground with a gradient of the site designed for water run down to prevent possible flooding to dwellings.
5.32	<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. The applicant has demonstrated the proposal will include the following SuDs measures:</p> <ul style="list-style-type: none"> • Integration of rain gardens and rain butts; • Construction of oversized pipes to service the development; • Permeable or porous paving to allow percolation of surface water • Trees, hedgerows and ornamental planting to manage runoff.
5.33	The proposal is considered acceptable having regard to Policy ENV5.
	<p><u>Residential quality and impact on amenity</u></p>
5.34	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.
5.35	<i>Creating Places</i> advocates external private amenity space of between 10 and 30 sqm per residential apartment unit and an average of 70 sqm per dwelling house and none below 40sq/m. As noted in para 5.28, the provision of amenity space equates to approx. 37 sqm per apartment (1450 sqm total). It is noted that the largest area of amenity space is located within the western portion of the site (approx. 950 sqm). This area of open space is located adjacent to both blocks B and C, however is located approximately 50 metres from block A. As noted previously, there are several distinct communal amenity areas within the overall site, all closer to block A, therefore the arrangement is considered acceptable.
5.36	The proposed housing for the 2 bedroom units have an average of 49 sqm, none below 40 sqm and the 3 bedroom units have an average of 74 sqm. It is noted the overall average of 57 sqm falls below the <i>Creating Places</i> guidance of 70 sqm. However, as discussed, the proposal also includes a generous provision of shared outdoor amenity space circa 1450 sqm that includes play and seating areas. Officers are content that the provision of both private and public amenity space provides an overall acceptable level of amenity for the proposal.

5.37	<p>The orientation, layout and external design of the proposal has been directly informed by the site's constraints, mainly being its proximity to the Whiterock Road, playing fields and neighbouring housing. The orientation of the apartment blocks A and B, have an outlook in the main towards the Whiterock Road and block C orientated towards the internal access road and parklet. Where the proposed dwellings adjoin the site boundary, the neighbouring land uses are not residential, these being a Youth Centre, Multi-Use Games Area (MUGA) and Corrigan Park. The outlook of the residential units will therefore not impinge on neighbouring amenity. The separation distances between the buildings are common for a residential area ensuring that there is no significant overlooking, loss of light or overshadowing</p> <p><u>Open space / Landscaping</u></p>
5.38	<p>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. The normal expectation for open space provision is at least 10% of the total site area. Furthermore, 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. 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.</p>
5.39	<p>In this case, the open space proposed within the site is greater than the recommended 10%. The total site area is 11580 sqm; 10% of which equals 1158 sqm. The provision of open space equates to 1593 sqm, accounting for approximately 13.7% of the overall site. This figure for open space is higher than the total amenity space, as noted in para 5.36, as this figure includes areas of open space which are unlikely to be used for amenity, e.g. areas of landscaping around parking spaces.</p>
5.40	<p>BCC Landscape Planning and Development team have provided comments on the proposed landscaping plans, advising of no objection. Proposed tree species are acceptable, with planting of semi-mature trees helping create an immediate landscape impact, in terms of softening and screening.</p> <p><u>Access and transport</u></p>
5.41	<p>The site is a highly accessible location within the city having direct access to the road network and public transport. It is within short walking and cycling distance of shops, services, leisure and employment opportunities. Provision is made for sheltered and secure cycle parking within the site. The proposal accords with Policy TRAN1.</p>
5.42	<p>The green travel plan provided with the application will further promote active and sustainable travel. Travel cards will be offered to each residential unit for three years. The developer will also provide the tenants with promotional material advising of sustainable travel measures. This, together with the travel plan and green travel measures, need to be secured by means of a Section 76 planning agreement.</p>
5.43	<p>In regard to on-site parking, the housing will be provided with in-curtilage parking and the apartments will have communal parking facilities, both on and off street. The proposal includes provision of 5 no. disabled parking spaces, three within the on-street parking at a rate of one bay per apartment block and one space for each house</p>

	<p>designed for as wheelchair accessible. The disabled parking provision is less than the number of wheelchair accessible units (5 spaces to 7 units), however it is noted this is not a policy requirement.</p>
5.44	<p>DFI Roads have no objection to the proposed development, subject to conditions.</p>
5.45	<p>Subject to resolution of these issues, the proposal is considered acceptable having regard to Policies TRAN1, TRAN2, TRAN4, TRAN6 and TRAN 8.</p> <p><u>Health impacts</u></p>
5.46	<p>Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.</p>
5.47	<p>The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure amenities, playing pitches and a public park. An outdoor gym is proposed to provide further opportunities for exercise and fitness. The proposal is considered to satisfy the requirements of Policy HC1.</p> <p><u>Environmental protection</u></p>
5.48	<p>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.</p> <p><u>Contaminated land</u></p>
5.49	<p>Environmental Health (EH) and NIEA Regulation Unit (RU) has reviewed the information within the Preliminary Risk Assessment and Generic Quantitative Risk Assessment. EH and RU recommend conditions in the event that planning permission is granted. The proposal is therefore considered to accord with Policy ENV1 in this respect.</p> <p><u>Air quality</u></p>
5.50	<p>EH has referred to air quality and has offered a condition, should a centralised combustion source be utilised for heating. The proposal is for independent dwelling units and a separate children centre; there is no proposal for a centralised heating system to serve the proposal.</p>
5.51	<p>Additionally, EH have also confirmed the proposed development is not located within any Air Quality Management Areas and the number of vehicle movements associated with the proposal are anticipated to be below the threshold that could lead to a significant adverse affect on local air quality.</p>

	<u>Noise</u>
5.52	A Noise Impact Assessment was submitted in support of the proposal. Following review of the NIA, EH have advised of no objections in relation to noise, subject to conditions.
	<u>Lighting</u>
5.53	A Lighting Impact Assessment (LIA) has been submitted assessing the impact of the existing MUGA floodlights to the north of the site on the proposed development, particularly the 14 semi detached dwellings along this boundary of the site. The LIA indicated that light impact on these dwellings will be significantly in excess of the ILP vertical lux limits guidance. The LIA provides an assessment of the situation in the event that the existing floodlights are upgraded, concluding that the predicted vertical lux light levels on the nearest residential properties will comply with the ILP guidance.
5.54	The upgrade to the floodlighting on the MUGA is necessary to ensure that the obtrusive light levels on the windows of the proposed development do not exceed the values in the ILP guidance. EH have confirmed that failure to complete the upgrade will result in adverse impact on a number of future occupants of the proposal.
5.55	A letter from the Board of Governors of Bunscoil an tSléibhe Dhuibh has been submitted, indicating they are content for the applicant to carry out the agreed upgrade to the MUGA floodlighting. It is understood that the MUGA floodlights were upgraded in November 2024. A letter from the Principal of the school confirmed that the works were completed on 20th November.
	<u>Flood risk and drainage</u>
5.56	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). 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. The proposed development can be considered an exception to policy ENV4, as the overall proposal includes replacement of existing buildings.
5.57	The western boundary of the site is located within a floodplain, specifically the area to the west of the existing boxing club. The proposed development includes an area of open space and car parking spaces within this area. It was recommended within the FRA that those buildings closest to the flood risk area have finished floor levels of 42.4m AOD to the north of the boxing club and 41.43m to the south of the club. These figures are achieved, with the housing to the north being 42.4m and apartment block B to the south having a floor level of 41.75m. A schedule 6 agreement has been confirmed to allow the discharge of surface water in the Ballymurphy stream as currently exists. It has also been expressed that the use of the flood plain as open space grass area can have a positive impact, compared to the current arrangement, with the area in use as a hard surface parking area.
	<u>Waste-water infrastructure</u>
5.58	Policy SP1a requires that necessary infrastructure is in place to support new development. NI Water has offered no objection to the proposal. It advises that existing public waste-water infrastructure is available to support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. It is proposed that surface water can be discharged into the Ballymurphy

	<p>stream. The proposal is considered acceptable having regard to Policy SP1A of the Plan Strategy.</p> <p><u>Section 76 planning agreement</u></p> <p>5.59 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 ensure delivery of the 62 residential units as social rented. • Green travel measures – travel plan; promotional material for tenants and tenancy packs • Floodlighting upgrade –verification to confirm no detrimental impact on the proposed dwellings following upgrade. <p>5.60 A draft Section 76 planning agreement has been provided with the application and will need to be finalised before planning permission is granted.</p> <p><u>Pre-application Community Consultation</u></p> <p>5.61 The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant’s proposals for pre-application community consultation. The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p> <p>5.62 The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Distribution of an information leaflet containing the details of the proposals and the avenues through which recipients could provide their comments and feedback; • Hosted a public exhibition event with members of the project team to assist in any questions and to allow for further feedback; • Issued a press notice to highlight information about the proposals and provide notification of the public information event; <p>5.63 The feedback was reviewed, and the matters were considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p> <p>5.63 It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
<p>6.0</p> <p>6.1</p>	<p>Recommendation</p> <p>The proposal is providing new homes in a highly sustainable location and in an area of high housing need. The proposal would make very effective use of land, a finite resource. The scale, height, massing and design of the building are considered appropriate to the site’s context. The approach to green travel is acceptable. The proposal would not have a harmful impact in respect of other land-use planning considerations.</p>

6.2	It is recommended that planning permission is granted subject to conditions.
6.3	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, provided the issues are not substantive.
7.0	<p>DRAFT CONDITIONS</p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. Prior to occupation of the development, the noise mitigation measures for the proposed windows as per the sound reduction specified within table 9 of the Irwin Carr Consulting Ltd report entitled: 'Noise Impact Assessment, at: Whiterock Road, Mixed Use', Ref: Rp001n 2023112 (Whiterock Road, Mixed Use), Dated: 5 January 2024 shall be installed within habitable rooms of the development and retained at all times.</p> <p>Reason: To safeguard the amenity of occupants of the hereby approved development.</p> <p>3. Prior to installation within the hereby permitted development, the applicant shall submit to the planning service for review and approval, the final details of the ventilation strategy to habitable rooms. The final details shall confirm that any passive vents (when open) have a sound reduction equivalent to or greater to the sound reduction achieved by the glazing. Where any element of mechanical or active means of ventilation is proposed, the final details shall include a Noise Impact Assessment that confirms that the noise associated with its operation will not exceed internal target levels for habitable rooms in line with BS 8233:2014 <i>Guidance on sound insulation and noise reduction for buildings</i>.</p> <p>Reason: To safeguard the amenity of occupants of the hereby approved development.</p> <p>4. Prior to the occupation of the development the approved ventilation strategy to habitable rooms (in addition to that provided by open windows) shall be installed as approved and retained at all times.</p> <p>Reason: To safeguard the amenity of occupants of the hereby approved development.</p> <p>5. Prior to occupation of the development, a 2.7m high acoustic barrier with a minimum surface mass density of at least 15kg/m² should be installed along the northern extent of the site, as deemed necessary in section 3.0 and as depicted in Appendix C of the Irwin Carr Consulting Ltd letter entitled : Proposed Mixed Use Development Comprising Of 62no. Social Housing Units (Mix Of Dwellings And Apartments) And A New Children's Centre, Car Parking, Landscaping, Open Space And All Associated Site And Access Works At The Former Belfast Metropolitan College Campus, Whiterock Road, Belfast, BT12 7PG, Planning Ref: La04/2024/0122/F Dated: 10 May 2024 and retained thereafter.</p> <p>Reason: To safeguard the amenity of occupants of the hereby approved development.</p>

6. The existing retaining walls (red & yellow) as depicted on drawing titled: 'Proposed Site Layout Plan', drawing no. L02, Rev C dated Jan 22 shall be retained at all times.

Reason: To safeguard the amenity of occupants of the hereby approved development.

7. Prior to the occupation or operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the RSK report entitled - Newpark Developments (NW) Ltd. Preliminary Risk Assessment and Generic Quantitative Risk Assessment Lands at Whiterock Road, Belfast 604227- R1 (01). Dated: 21st December 2023 have been implemented.

The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use (residential with plant uptake). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards. In particular, the Verification Report must demonstrate that:

a) The soil source removal excavation is to a proven depth of 0.8 mbgl. All remaining soils or base and sidewalls of all excavations are to be proven suitable for the proposed end-use (Residential with Plant Uptake).

b) A capping layer of a minimum depth of 800mm has been emplaced in private garden areas as outlined in figure 4 'Capping Layer Extent' presented in the RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', Newpark Developments (NW) Ltd, report reference: 604227- R1 (01)), dated December 2023. The capping layer shall be formed from material that is demonstrably suitable for use, by sampling every 100m³ for the suite of analysis as outlined in Appendix M of the RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', report reference: 604227- R1 (01)), dated December 2023. Soil sample results shall be compared to the GAC's outlined in Table 5. of the report RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', report reference: 604227- R1 (01)), dated December 2023 (that is, residential with plant uptake).

c) The final site layout is as per drawing presented in Fig 4, 'Capping Layer Extent' presented in the RSK Ltd report titled: 'Preliminary Risk Assessment and Generic Quantitative Risk Assessment - Lands at Whiterock Road, Belfast', Newpark Developments (NW) Ltd, report reference: 604227- R1 (01)), dated December 2023.

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

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

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

9. After completing any required remediation works, and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance.
The Verification Report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the development wastes and risks and achieving the remedial objectives.

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

10. As part of the site clearance works, all fuel storage tanks (and associated infrastructure) should be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP2 and GPP27). The quality of surrounding soils should be verified through suitable sampling and assessment. Should any additional contamination be identified during this process, conditions relating to new contamination or risks, as detailed, will apply.

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

11. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been Regulation Unit submitted in writing and agreed with the Planning Authority. The methodology is available at: <https://webarchive.nationalarchives.gov.uk/ukgwa/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>

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

12. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No PSD 1D published on the Planning Portal on 25 October 2024, prior to the commencement of any other works or other development hereby permitted.

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

13. No dwelling shall be occupied until related hard surfaced areas have been constructed in accordance with the approved Drawing No. PSD 1D published on the Planning Portal on 25 October 2024, to provide adequate facilities for parking. These spaces shall be permanently retained.

Reason: To ensure adequate parking in the interests of road safety and the convenience of road users.

14. No apartment shall be occupied until provision has been made for cycle parking in accordance with the approved plan. These facilities shall be permanently retained.

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

15. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays shall be retained and kept clear thereafter.

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

16. The access gradient(s) to the dwelling(s) 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 means of access in the interests of road safety and the convenience of road users.

17. The access gradient(s) shall not exceed 4% (1 in 25) over the first 10m 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 means of access in the interests of road safety and the convenience of road users.

18. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No PSD 1D bearing the Department for Infrastructure determination date stamp 07 November 2024.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

19. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

No part of the development hereby permitted shall be commenced until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing No PSD 1D bearing The Department for Infrastructure determination date stamp 07 November 2024. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

20. No part of the development hereby approved shall be occupied or operated unless all redundant access/es from the site to the public road have been stopped up and closed in accordance with the approved plans. The redundant access/es shall be permanently retained as such.

Reason: In the interests of road safety and convenience of road users.

21. The development hereby permitted shall not be commenced until any retaining wall / inspection chamber requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with CG 300 Technical Approval of Highways Structures : Volume 1: Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with CG 300 Technical Approval of Highways Structures: Volume 1: Design Manual for Roads and Bridges.

22. No dwelling(s) shall be occupied until that part of the service road which provides access to it has been constructed to base course; the final wearing course shall be applied on the completion of (each phase / the development.)

Reason: To ensure the orderly development of the site and the road works necessary to provide satisfactory access to each dwelling

23. In the event that any substantial centralised combustion sources (generators, boilers, CHP or 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), this Service may request that an Air Quality Impact Assessment be submitted to and approved in writing by the Planning Authority prior to the installation of the plant. The assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed

combustion systems and it must demonstrate that there will be no exceedances of Air Quality Strategy objectives at relevant human receptor locations.

Reason: Protection against adverse health effects.

24. All hard and/or 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.

25. The residential unit/s and Children's Centre 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.