

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Thursday 19 th August 2021	
Application ID: LA04/2020/1158/F	
Proposal: Demolition of existing building and erection of 65No Apartments including 20% social housing.	Location: 1-5 Redcar Street Belfast BT6 9BP.
Referral Route:	Major Application
Recommendation:	Approval subject to Section 76 planning agreement
Applicant Name and Address: Bairds Trust Laureldale Hall Laurel Bank Comber BT23 5EJ	Agent Name and Address: O'Toole 7 Starkey Ltd Arthur House 41 Arthur Street Belfast BT1 4GB
<p>Executive Summary:</p> <p>The proposal seeks outline permission for 65 no apartments on the current site of a factory.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> • The principle of housing at this location • The design and layout of the proposal • The impact on traffic and road safety • The impact on amenity of nearby residents and businesses • The impact on Built Heritage and Archaeological interests • Waste management • Human health • Parking provision and access • Drainage and flooding • The consideration of developer contributions <p>The site is located the development limits of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP) and is unzoned, white land under dBMAP.</p> <p>As the site is within the settlement development limit and taking into account the site context and last use of the site as a factory, the principle of housing at this site is acceptable subject to prevailing policy considerations.</p> <p>Consultees including DfI Roads, NIEA, Northern Ireland Housing Executive, Historic Environment Division and NI Water have no objection to the proposal subject to conditions. Their consultations are detailed in the main body of the report.</p> <p>Having regard to all of the submitted information and reports, consultee responses and representations, officers consider that the proposed scheme will create a quality residential</p>	

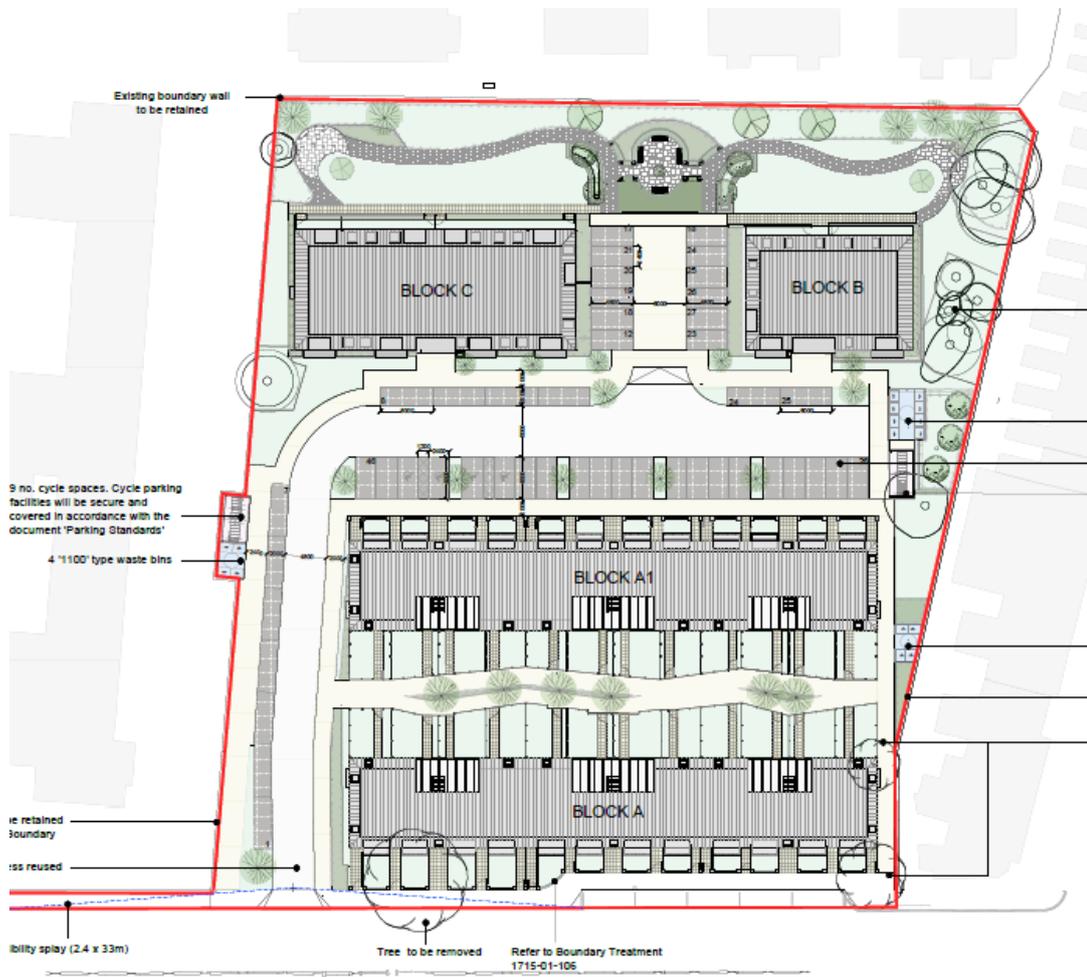
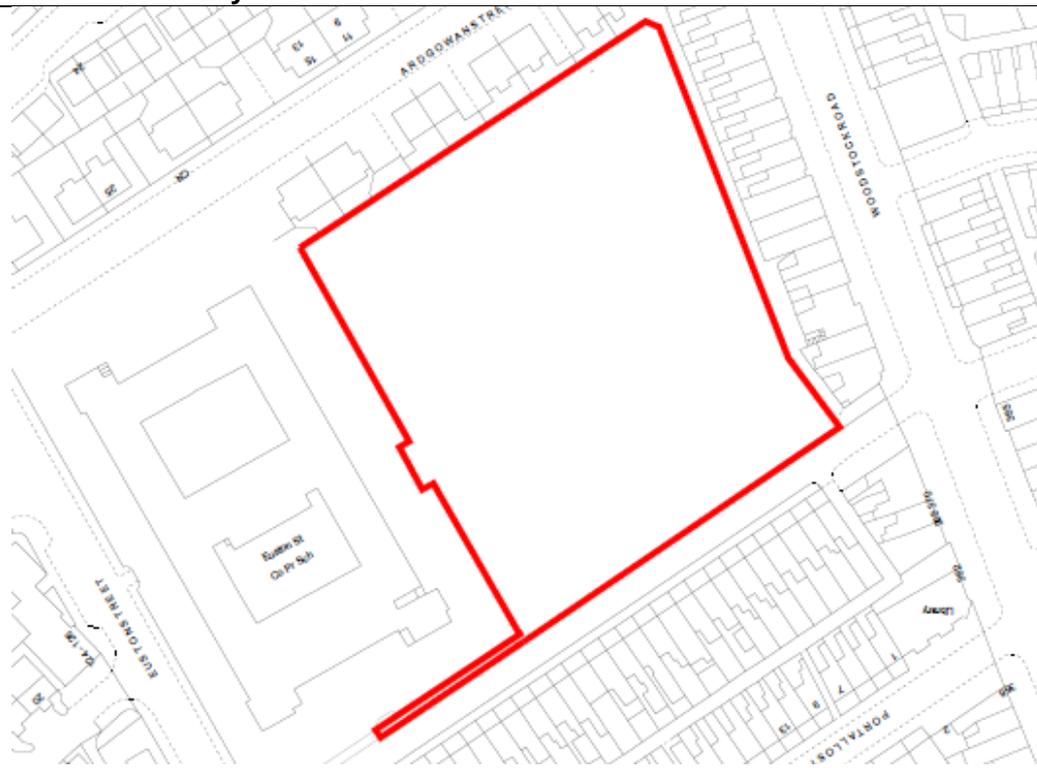
environment, contribute positively to the local environment by creating a more sympathetic use adjacent to the school and other residential streets and will meet the requirements of PPS 3, PPS 4, PPS 7, PPS 8, PPS 12 and PPS 15.

11 no objections were received, one of which was received in response to the most recent amended scheme. All objections are considered under Para 7.0 of the report.

Having regard to the Development Plan, and other material considerations, the proposed development is on balance considered acceptable. It is recommended that planning permission is granted subject to conditions with delegated power given to the Director of Planning and Building Control to finalise the Section 76 planning agreement and wording of conditions subject to no new substantive planning issues being raised by third parties.

Case Officer Report

Site Location Plan/Site Layout/Front elevations





01. BLOCK A PROPOSED FRONT ELEVATION



Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 The proposal seeks full permission for 65 no apartments over 4 blocks. The first are two terrace blocks (Block A) and then two smaller mansion blocks to the rear (Blocks B and C). All four buildings are 3-storey including the roof.
- 1.2 Between the two terraces of Block A there are private gardens for the larger ground floor units, and a central private alleyway which can be used for residents bringing bins to the main bin store. To the rear of Blocks B and C is a large area of communal open space.
- 1.3 There is also a bin store provided for all 65 units. Proposed boundary treatments include 1.1m walls with railings and gates to the front of the Block A terraces and to the rear, the 1.8m boundary wall is to be retained and made good. The Block A private back gardens will be bounded and divided by 1.8m timber fencing.

2.0 Description of Site and Area

- 2.1 The application site comprises a large rectilinear 2-storey commercial/factory building that covers a large proportion of the site, with the remainder used for parking and ancillary purposes.
- 2.2 The opposite side of the site on Redcar Street is comprised of 2-storey residential dwellings, mostly render with some red-brick.

2.3	Adjacent to the site is Euston Street Primary School. Most of the surrounding streets contain terraced residential housing with some apartments. The nearby Woodstock Road is an arterial route and comprises mixed uses such as retail, hot food etc with some “above the shop” residential uses. The site is approximately 1 mile from Lanyon Place Train Station.
2.4	At present the site is enclosed by a 1.8m wall at the rear bounding Ardgowan Street as well as adjacent to the school. There is currently 2 metre security fencing onto Redcar Street.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	Ref ID: Z/1989/0464 Proposal: Warehouse and ancillary offices (Approval of Reserved Matters) Address: 1-5 REDCAR STREET BELFAST BT6 Decision: Permission Granted Decision Date: 07.08.1989
3.2	Ref ID: LA04/2019/0759/PAN Proposal: Demolition of existing building and erection of residential development. Address: 1-5 Redcar Street, Belfast, BT6 9BP., Decision: PAN Acceptable Decision Date: 18.04.2019
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 – Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Environment Planning Policy Statement 7 – Quality Residential Environments PPS7 addendum – Safeguarding the Character of Established Residential Areas Planning Policy Statement 8 – Open Space Planning Policy Statement 12 – Housing in Settlements Planning Policy Statement 15 – Planning and Flood Risk
5.0	<u>Statutory Consultees</u> Dfl Roads – no objections in principle, subject to conditions, informatives and Private Streets Determination (PSD) Rivers Agency – no objection subject to condition NIEA Natural Heritage – no objections NIEA Land, Soil, and Air – no objections subject to conditions NIW – No current capacity – see Para 8.10.2
6.0	<u>Non-Statutory Consultees</u> Environmental Health BCC – no objections subject to conditions and informatives

	<p>Northern Ireland Housing Executive – have indicated there is social housing need in the vicinity and they welcome 20% social housing</p> <p>Economic Unit BCC – no identified need for Section 76 clauses relating to employability & skills</p> <p>Urban Design Officer BCC – content in principle subject to condition</p> <p>Tree Officer BCC – no objections subject to conditions</p> <p>Northern Ireland Electricity – no objection subject to informative</p>
<p>7.0</p> <p>7.1</p> <p>7.2</p> <p>7.3</p>	<p><u>Representations</u></p> <p>11 no representations were received</p> <p>The issues raised can be summarised as follows:</p> <ul style="list-style-type: none"> a) Traffic, parking provision, road safety and congestion including impacts from school traffic being exacerbated b) Cumulative impact of further 12 apartments at 52 Redcar Street c) Loss of trees d) Increase in density e) Balconies causing detriment to privacy by virtue of insufficient separation distance f) Current wall at Ardgowan Street boundary being unsafe g) Negative impact on property values h) Negative impact of construction on amenity i) Increased density causing increased spread of Covid-19 j) Full consultation was not undertaken k) Increased numbers of rodents l) Blocking of light into properties at Ardgowan Street m) Impact on sewage and water pressure n) Creation of a gated community <p>The issues above have been considered as follows:</p> <ul style="list-style-type: none"> a) There has been extensive consultation and negotiation with DfI Roads on all aspects of parking provision within the site. Additional surveys were submitted. Additional parking was designed into the layout and a layby was created on Redcar Street to aid with progression. Green Travel measures are proposed which will be included in the Section 76 agreement. DfI Roads have expressed that they are content in principle subject to conditions and informatives and the Private Streets Determination. b) The 12 apartments at the end of Redcar Street have been considered in terms of traffic and parking c) 9 no trees are proposed for retention along the side and rear boundaries. There are 35 no heavy standard and semi-mature trees proposed to complement these retained trees. The trees to the front which are being removed are on lands adopted by DfI Roads and are removed to accommodate the footpath and layby as required by DfI Roads. d) The density has not increased, see Para 8.4.12. e) The balconies of Block A facing onto Redcar Street are at one level only – that of the first floor. The second floor contain “Juliet balconies” which do not allow a seating area. The balconies of the first floor are accessed off the smaller bedrooms of the duplex units – it is not considered that these will unduly impact privacy. f) Following the objection regarding the rear wall, the agent met the objector on site and subsequently submitted a plan which details that the wall will be made good in any areas with structural issues. g) Property values are not a material planning consideration and therefore little weight is attached to this concern. h) Environmental Health were consulted on the proposal and have not expressed concern about undue noise and disturbance during construction. Naturally there is always some noise and disturbance during construction however this is managed

	<p>under separate legislation to ensure operating hours and noise levels are appropriate.</p> <ul style="list-style-type: none"> i) In the intervening time since this objection was received, a large proportion of the population have been vaccinated against Covid-19. No guidance has been issued to state that building densities should be reduced as a consequence of the pandemic. j) See Para 8.12 and Para 8.13 which details the pre-community consultation and consultation undertaken as part of the application process. k) There is no evidence to suggest that additional residential properties would lead to an increase in rodents and there is a Service Management Plan submitted to manage waste collections etc. l) There is a separation distance of some 20m between the rear blocks and Ardgowan Street. There is no indication that light will be impacted. m) NIW were consulted and NI Water confirmed that waste water treatment capacity is not available at present for the proposed development and advised that if the applicant wishes to proceed they should contact NIW to discuss alternative interim options such as a temporary wastewater facility at the developer's own expense; this would not be adopted by NIW in the future. NI Water have confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. This includes two new sludge processing tanks for Belfast and subsequent improvements to the city's six existing sludge processing tanks. These works are estimated to be completed within 2.5 years – well within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues. In light of the NI Water response the agent has advised that they would be agreeable to the use of a negative planning condition to require full details of the how foul/waste water is to be disposed of prior to commencement of the development. n) There is no intention to create a gated community as detailed in the boundary treatments.
<p>8.0</p>	<p><u>ASSESSMENT</u></p>
<p>8.1</p>	<p><u>Development Plan</u></p>
<p>8.1.1</p>	<p>Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p>
<p>8.1.2</p>	<p>Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p>
<p>8.1.3</p>	<p>Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies</p>

	relating to Sprucefield Shopping Centre, dBMAP 2015 is considered to hold significant weight.
8.1.4	The site is un-zoned white land under the BUAP and both versions of BMAP.
8.2	<u>The principle of residential development at this location</u>
8.2.1	The SPPS sets out five core planning principles for the planning system, including improving health and wellbeing, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
8.2.2	The site is located within the settlement limits in draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
8.2.3	The surrounding context is predominantly housing and the site is zoned as white land. As the site is occupied by an existing manufacturing building (Class B2) Policy PED7 (Retention of Zoned Land and Economic Development Uses) of PPS4, 'Planning and Economic Development', is a material consideration. The proposal involves the loss of a manufacturing premises to residential use. This is contrary to Policy PED7, which is explored further in Para 8.3 below.
8.2.4	Northern Ireland Housing Executive (NIHE) were consulted and confirmed that there is an identified need in the area for social housing.
8.2.5	Further considerations are the policy provisions of PPS 7 and PPS 8 which are also explored below.
8.3	<u>Economic Considerations.</u>
8.3.1	The Design and Access Statement (DAS) states that " <i>the site is operated by Decco Ltd Cash and Carry, which is a DIY, garden, construction and industrial supplies merchant that serves high street retailers, garden centres and building/engineering companies.</i> " It also states that " <i>The use comprises the storage and distribution of materials that accommodates trade based custom and does not cater for the general retail market. Goods are stored on-site and sold directly to trade. Customers can also place orders for delivery with the field and telesales team or via the company's online platform. Although comprising an element of B4 (storage or distribution), paragraph 5.31 of PPS4 confirms that a builders' supplies merchants as a sui generis use.</i> "
8.3.2	The DAS goes on to state that as " <i>the proposed scheme would not strictly result in the loss of any of these uses, it is our view that an assessment against the provisions of PED7 is not required.</i> "
8.3.3	The DAS also states that without prejudice to the above point, that it is considered that the proposal would satisfy criteria (d) and (e) stating that the present use has a significant adverse impact on the character and amenities of the surrounding area, and, that the site is unsuitable for modern industrial, storage or distribution purposes.
8.3.4	Whilst the current use could be argued to be sui generis it could also be considered that a B2 or B4 use would be lawful and for that reason PED 7 should be assessed in full.
8.3.5	It is considered that the present building and use on the site is not in keeping with its context which is characterised by low-rise housing. There are no large factories or Class B2-B4 uses in the locale. Redcar Street is narrow and characterised by terraced housing as well as the nearby school and it is considered that a residential use would be more compatible with the locale.

8.3.6	It is considered that the existing use if proposed in the modern day would be contrary to PED 9 of PPS 4, a point also made in the accompanying DAS. The applicant has also agreed to a significant developer contribution of 20% social housing which will assist housing need in the area.
8.3.7	It is therefore considered that on balance, the proposed use complies with Policy PED 7 and that the proposed use would be more compatible with surrounding uses.
8.3.8	In terms of Employment and Skills, an assessment was provided by the agent. It demonstrates an estimated 123 full time jobs during construction and a further 5 full-time jobs on an on-going basis. The Council's Economic Team were consulted and advised that <i>"the current projection forecast 5 employments being created through the development, due to the end use being residential accommodation. This will have no nominal effect on the Belfast labour market or skills issues. Therefore no employability and skills related Developer Contributions Section 76 clauses will be required for this phase of the development"</i> .
8.4	<u>Design and layout</u>
8.4.1	Paragraphs 4.11 and 4.12 of the SPPS require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported. The SPPS states the majority of PPS's remain applicable under 'transitional arrangements', including PPS 3. The SPPS states that PPS3, 7 and 12 remain applicable under 'transitional arrangements'.
8.4.2	Planning Policy Statement 7 relates to quality in housing developments. PPS 7 objectives place emphasis on achieving quality residential development not only in terms of respecting local character and amenity of established residential areas, but also the developments themselves should be attractive for prospective residents. QD1 lists 9 criteria with which all proposals for residential development must comply. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. The PPS7 addendum "Safeguarding the Character of Established Residential Areas" is also a material consideration and includes three policies LC1-3.
8.4.3	<u>Criterion (a)</u> of QD1 of PPS 7 requires the development to respect the surrounding context and to be appropriate in terms of layout, scale, massing, appearance and surfacing. The Urban Design Officer (UDO) notes that the current application <i>"proposes three storeys across all four blocks within the site with the upper floors taking the form of a contemporary mansard addition which visually retains the general impression of a two storey scheme, reflecting the general heights within surrounding context"</i> . The UDO goes on to state that the height is <i>"appropriate to this site and reflects that of neighbouring buildings. It is also worthy to note that the block along Redcar Street has also been setback from the road so as to further reduce the perceived massing of the building, while allowing for the creation of an attractive landscaped/ garden buffer which again softens the building."</i>
8.4.4	<u>Criterion (b)</u> is not applicable.
8.4.5	<u>Criterion (c)</u> requires adequate provision for public and private open space and landscaped areas as an integral part of the development. Planning Policy Statement 8, Policy OS2 Public Open Space in New Residential Development recommends at least 10% public open space. There is approximately 1445sq m of open space to the rear and sides of Blocks B and C available to the public not including additional incidental space. Some of the units in Block B

	and C have private balconies and others have direct access onto the open space including a private buffer at ground floor.
8.4.6	Block A contains approximately 980m of ground floor space between the two terraces. This comprises of a landscaped walkway (240sqm) and private gardens for the larger units. The gardens range from approximately 20 – 35 sqm which are considerable for duplex/apartment units. The 1-bedroom apartments which are located across the second floor of the terraces have access to the walkway at ground floor, the communal open space to the rear, and also benefit from landscaped courtyards varying from approximately 25-40sqm which contain the front doors to the apartments but also seating and planting.
8.4.7	The UDO notes the generous open space provided including the “ <i>dynamic linear route that doubles as a shared communal space and will improve community cohesion for future residents as well as providing a safe space for children to play in. It is noted that both of the longer blocks would benefit from a total separation distance of 16.4m, which includes the communal linear/gillen space, which in my view is considered sufficient in what is a relatively urban context</i> ”.
8.4.8	The proposal meets policy requirement criterion (c) as well as the 10% requirement in Policy OS2 of PPS 8 and Creating Places
8.4.6	<u>Criterion (d)</u> relates to the provision of local neighbourhood facilities. It is considered that there are sufficient neighbourhood and community facilities on the Woodstock Road/Cregagh Road.
8.4.7	<u>Criteria (e) and (f)</u> require adequate and appropriate provision for parking, walking and cycling in conjunction with the policy requirements of Planning Policy Statement 3: Traffic Movement and Parking. DfI Roads were consulted and initially had concerns regarding the level of incurtilage parking, the capacity of on-street parking in the area and potential progression issues. As a result, the applicant provided additional surveys, proposals for green travel measures including car club, bike club and travel cards and introduced a parking bay to improve road safety. Additionally they increased the number of incurtilage spaces to 46 no. DfI Roads have advised in an email dated 7 th June 2021 that they have no objections in principle subject to conditions, informatives and PSD and that they intend to provide a final response in a matter of days.
8.4.8	<u>Criterion (g)</u> relates to design and materials. The proposal was subject to a PAD which was not finished in its entirety. As a result some changes were requested to ensure better articulation and design in addition to layout changes necessitated by feedback from DfI Roads. The UDO states that “ <i>Both the block along Redcar Street and its sister block immediately to the rear incorporate projecting bays at GF level with small terraces above. This not only picks up contextually on the projecting bays of the existing terrace directly opposite but also helps to introduce a rhythm to the terrace and break up its massing, while adding depth and visual interest to its articulation. Blocks B and C to the rear echo the façade arrangements of the large blocks but with less pronunciation of bays in a nod to the larger mansion block footprints of existing buildings found along Ardgowan Street to the south. As mentioned previously, the use of a mansard profile at upper floor level allows for additional accommodation to be provided without necessarily adding a great extent of bulk to the buildings. The design of the gable ends of the buildings have been improved in order to reduce massing and create more attractive frontages in these locations that provide increased passive surveillance</i> ”.
8.4.9	The UDO goes on to describe the materials – “ <i>a mix of buff brick and render have been utilised for the finishes of the buildings across the site. While this will differ to a degree with the largely predominant use of red brick in adjacent streets, the use of a buff brick will in my opinion result in a contemporary and fresh arrangement that helps to embed the buildings</i>

	<p><i>within their setting with the use of white render reflecting materials found along existing terraces in the wider area</i>". He also suggests that "<i>should a recommendation of approval be made, I would suggest that an appropriately worded condition is included that requires the Council's prior approval of materials including the buff brick, render, windows/doors, roof material as well as any railings/boundary treatments</i>". This condition is included at Para 11.2.</p>
8.4.10	<p><u>Criterion (h)</u> deals with the impact the development may have on adjacent land uses and residents taking into account the proposed layout, existing and proposed boundary treatments and separation distances. During negotiation, separation distances were increased both between Blocks B and C to the rear boundary and between the terraces of Block A and it is considered that there will be no unacceptable adverse impact on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance</p>
8.4.11	<p>Policy LC1 (Protecting Local Character, Environmental Quality and Residential Amenity) of the addendum to PPS 7 states that the proposed density of the development must not be significantly higher than that found in the established residential area and that the pattern of development is also in keeping with the overall character of the locale. The density of apartments (at approximately 81 dwellings per hectare) is lower than that of the nearby residential terraces estimated by the UDO at 1 at 110-120 dwellings per hectare. The pattern of terraces is more appropriate/in keeping with the local environment than the factory building. The proposal therefore meets criteria (a) and (b) of Policy LC1.</p>
8.4.12	<p>In addition, criterion (c) states that all dwelling units and apartments comply with the space standards set out in Annex A. The site layout submitted by the agent show sizes which vary from 40sqm for a one-person studio to 102sqm for a six-person three-bed apartment. These meet the requirements for space standards as outlined in Annex A of the addendum to PPS 7.</p>
8.5	<p><u>Built and Archaeological Heritage</u></p>
8.5.1	<p>The adjacent primary school, Euston Street P.S. was recently listed in 2019 and is Grade B1. Policy BH11 of Planning Policy Statement 6 (PPS 6) therefore applies as well as paragraph 6.12 of the Strategic Policy Planning Statement for Northern Ireland (SPPS). Historic Environment Division (HED) were consulted and their Historic Buildings section responded that they were largely content contingent on the windows and rainwater goods being amended from PVC to PPC aluminium. HED: HB further notes that the change to residential use and accompanying design and layout is considered a betterment to the setting of the listed building and that therefore the proposal complies with PPS 6 and the SPPS. The drawings were amended to reflect the request for more sympathetic materials for the windows and rainwater goods.</p>
8.5.2	<p>HED: Historic Monuments further note that the subject site contains the former Castlereagh Laundry site (IHR 10532) which is a site of industrial archaeology interest on the Department's Industrial Heritage Record. HED: HM advised that the proposal complies with Policy BH4 of PPS 6 subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works, including an Industrial Archaeology survey and a mitigation strategy focussing on the industrial archaeological remains of the site. This is to identify and record any industrial archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>. The relevant conditions are appended in paras 11.15 and 11.16.</p>

8.6	<u>Landscaping and boundary treatments</u>
8.6.1	The site contains landscaped areas within the car park as well as a communal area of amenity space to the rear. In addition, there are incidental landscaped areas within the scheme.
8.6.2	The large area of open space to the rear was the subject of discussion and as a result, amended plans were submitted which created pathways, permanent seating areas, delineation of public and private space and movement patterns. A Landscape Management Plan has been provided and will be subject to condition.
8.6.3	The Tree Officer was consulted and provided feedback which was incorporated into the amendments. He has provided conditions and informatives.
8.7	<u>Traffic, Movement and Parking</u>
8.7.1	DFI Roads have no objection to the application. 46 no parking spaces are provided as well as cycle parking. Green measures have been included which will be secured via Section 76 (see para 8.4.7). A layby was introduced to assist with potential progression issues. The area is well connected in terms of its proximity to the city centre and is on a main arterial route in terms of public transport.
8.8	<u>Contaminated Land</u>
8.8.1	The application is supported by a GQRA which has been considered by both NIEA and Environmental Health. Both have provided conditions and informatives accordingly.
8.9	<u>Noise</u>
8.9.1	Environmental Health has reviewed the Noise Impact Assessment and advised that it meets the relevant requirements. Conditions have been provided.
8.10	<u>Air Quality</u>
8.10.1	Environmental Health has reviewed the Air Quality Assessment and advised that it meets the relevant requirements. Conditions have been provided.
8.11	<u>Site Drainage/Flood Assessment</u>
8.11.1	The application is supported by a Flood Risk Assessment and Drainage Assessment. The proposal has been considered against policies FLD 1-5 of Revised PPS15. Rivers Agency advised that the Flood Risk Assessment is deemed to be robust with regards to managing flood risk. Rivers Agency have advised they have no objections under FLD 2, 4 and 5. With regards to Policy FLD 3, a Schedule 6 consent (to discharge into a watercourse) has been requested provided. Rivers Agency have no objection subject to condition.
8.11.2	NIW were consulted and advised that NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development and advised that if the applicant wishes to proceed they should contact NIW to discuss alternative interim options such as a temporary wastewater facility at the developer's own expense; this would not be adopted by NIW in the future. NI Water have confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. This includes two new sludge processing tanks for Belfast and subsequent improvements to the city's six existing sludge processing tanks. These works are estimated to be completed within 2.5 years – well within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to

	withhold planning permission in relation to these issues. In light of the NI Water response the agent has advised that they would be agreeable to the use of a negative planning condition to require full details of the how foul/wastewater is to be disposed of prior to commencement of the development. As this matter can be addressed by a suitably worded planning condition (see Para 11.15) this issue is not considered to be a refusal reason.
8.12	<u>Natural Heritage</u>
8.12.1	NIEA, Natural Environment Division (NED) acknowledges receipt of the NI Biodiversity Checklist, uploaded to the NI Planning Portal on 17 th July 2020 and the Preliminary Ecological Appraisal (PEA), dated June 2019. Having considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, has no concerns.
8.13	<u>Pre-Community Consultation</u>
8.13.1	For applications that fall within the major category a prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on the applicant for planning permission to consult the community in advance of submitting an application.
8.13.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2019/0759/PAN) was submitted to the Council on 8 April 2019 and was deemed acceptable on 18 April 2019. Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which details public meetings, letters, leaflets and the public advertisement.
8.13.3	Concerns were expressed regarding the noise and disturbance of the existing use as well as the undesirable appearance of the existing building. The PACC report details generally positive feedback in terms of housing at the proposed location and the need for housing in the area. In terms of feedback, attendees raised that the trees should be retained, there should not be a gated community and one attendee objected to the idea of any social housing on the site.
8.13.4	It is considered that the PACC 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.
8.14	<u>Statutory Consultation</u>
8.14.1	The scheme was first advertised on 24 th July 2020 and readvertised on 30 th April 2021 Neighbour notifications were initially issued on 28 th July 2020 and re-notified of amendments to the scheme on 27 th January 2021 and 5 th May 2021.
8.15	<u>Developer Contributions</u>
8.15.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals". A Section 76 agreement has been drafted to reflect the requirement for 20% social housing within the scheme as well as green travel measures such as car club membership, cycle club membership and travel cards.

8.16	<p><u>Conclusion</u></p> <p>The proposal will have a positive impact on the character and appearance of the area. It is considered that the proposal would result in wider economic benefits and job creation opportunities as well as providing social housing.</p> <p>Having regard to the Development Plan and relevant material considerations, including the current use on the site, the proposal is considered acceptable and planning permission is recommended subject to conditions and the applicant entering into a Section 76 Planning Agreement.</p>
10.0	<p>Summary of Recommendation:</p> <p>10.1 Having regard to the policy context and other material considerations above, the proposal is considered on balance acceptable. It is recommended that planning permission is granted subject to conditions with delegated power given to the Director of Planning and Building Control to finalise the Section 76 planning agreement and wording of conditions subject to no new substantive planning issues being raised by third parties.</p>
11.0	<p>Proposed Conditions:</p> <p>11.1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>11.2 Notwithstanding the submitted details, no construction of the development hereby permitted shall take place unless in accordance with a schedule of external materials including samples which shall first be submitted to and agreed in writing by the Council.</p> <p>The details shall include buff brick, render, window/door materials, roof material and railings/boundary treatment materials.</p> <p>The works must be implemented and permanently retained in accordance with the details so approved.</p> <p>Reason: To ensure the material finish and detailing is appropriate to the area</p> <p>11.3 The development hereby approved shall not be commenced unless a Contaminated Land Risk Assessment has been submitted to and approved in writing by the Council. The report must follow best practice and in the first instance contain the following information:</p> <ul style="list-style-type: none"> - A Preliminary Risk Assessment that includes a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages. <p>Should the Preliminary Risk Assessment demonstrate that potential pollutant linkages exist on the site, then a Quantitative Risk Assessment that addresses these issues shall be submitted. This must incorporate:</p> <ul style="list-style-type: none"> - A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations should be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.

	<p>- A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases should be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665.</p> <p>Based on the outcome of this risk assessment, a Remediation Strategy may be required. If necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and that they no longer pose a potential risk to human health. It must also detail for the proposed remedial works are to be verified.</p> <p>All construction thereafter must be in accordance with the approved documents.</p> <p>Reason: Protection of human health.</p>
11.4	<p>In the event that a Remediation Strategy is required, in order to demonstrate that any required remedial measures have been incorporated within the proposal, prior to occupation of the development, a Verification Report shall be submitted to and agreed in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p>
11.5	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and/or the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks, as applicable. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied, and subsequently implemented and verified to its satisfaction. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health and environmental receptors to ensure the site is suitable for use.</p>
11.6	<p>All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 11.5 and 11.7 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.7	<p>After completing the remediation works under Condition 11.6; 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 available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks.</p>

11.8	<p>The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives. Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>The facades of all buildings shall be constructed so as to provide a minimum of 54 dB RW, as per Section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential).</p> <ul style="list-style-type: none"> - The uppermost ceilings of dwellings adjacent to the school boundary shall be constructed so as to provide a minimum of 49 dB RW, as per section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential). - All glazing installed within dwellings must provide a minimum sound reduction index of 31 dB RW, as per section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential). - An acoustically treated ventilation system must be incorporated into all dwellings and must provide a minimum of 31 dB RW, as per section 3.2.1 of the report from Irwin Carr Consulting entitled 'Noise Impact Assessment. Redcar Residential, Belfast', (dated 24 June 2020 and referenced Rp 001N 2019124 (Redcar Residential)). <p>Reason: Protection of residential amenity.</p>
11.9	<p>In the event that any combustion plant, where the single or combined NOx emission rate is more than 5mg/sec, is proposed to be installed in connection with the development, the applicant must first submit an Air Quality Impact Assessment to the Council for approval in writing.</p> <p>Reason: Protection of human health.</p>
11.10	<p>The development hereby permitted shall not be commenced unless a Final Drainage Assessment, compliant with FLD 3 & Annex D of PPS 15, and Sewers for Adoption Northern Ireland 1st Edition, including a detailed drainage network design and a demonstration of how out of sewer flooding due to exceedance of the drainage network will be managed, must be submitted and approved in writing by the Council. All construction thereafter must be in accordance with the approved Assessment.</p> <p>Reason: To safeguard against flood risk to the development and from the development to elsewhere.</p>
11.11	<p>All existing trees as detailed on the stamped approved Proposed Landscape Plan, drawing No. 18A, published by the Council on 5th May 2021 shall be permanently retained unless otherwise stated on this plan. If any tree to be retained is seriously damaged, uprooted or dies, it shall be replaced with a tree of a similar species and a size standard at the time of planting to be agreed in writing by the Council.</p> <p>No arboricultural work or tree surgery shall take place on any retained tree other than in accordance with the approved plans and particulars, without the written approval of the Council. Any approved arboricultural work or tree surgery shall be carried out in accordance with British Standard 3998, 2010. Recommendations for Tree Work.</p>

11.12	<p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>No development may commence on site unless protective barriers (fencing) and ground protection have been erected / installed as specified in British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' (section 6.2) on any existing trees to be retained on the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Within the fenced area, no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p> <p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p> <p>All hard surfaces proposed within the Root Protection Area (RPA) of existing trees and any excavation, demolition and or construction within the RPA of any existing tree shall be carried out in accordance with recommendations outlined Landscape Management Plan, published by the Council on 24th September 2021.</p> <p>All soft landscaping works shall be carried out in accordance with the approved details on the Proposed Landscape Plan, drawing No. 18A, published by the Council on 5th May 2021.</p> <p>The works shall be carried out prior to the occupation of the development hereby approved or within the first available planting season after occupation, whatever is the sooner or unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.13	<p>Once completed, all soft landscaping shall be maintained in accordance with the Beth Moore Charter Landscape Architect 'Landscape Management Plan' titled Housing Development at Redcar St., Belfast, published 24th September 2021.</p> <p>Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.14	<p>No development shall commence on site until details of wastewater disposal have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul drainage of the site.</p>
11.15	<p>No site works of any nature or development shall commence unless a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted to and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site;

	<ul style="list-style-type: none"> • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition. <p>All construction thereafter must be in accordance with the approved POW.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded. L15b</p>
11.16	<p>A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 11.15. These measures shall be implemented, and a final archaeological report shall be submitted to the Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Council.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p>
11.17	<p>The development hereby permitted shall not be commenced unless the vehicular access, including visibility splays and any forward sight distance, has been provided in accordance with Proposed Site Layout Drawing No.102 Rev L recorded on the portal as being received by the Council on 19/05/2021.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
11.18	<p>The development hereby permitted shall not be constructed unless hard surfaced areas for parking have been constructed in accordance with Drawing No. P102 Rev L recorded on the portal as being received by the Council on 19/05/2021, to provide for parking and maneuvering of cars within the site. The approved hard surfaced areas must be permanently retained as approved and no part of these hard-surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for parking and turning of vehicles within the site.</p>
11.19	<p>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: 20032-MRA-001 Rev B bearing the Department for Infrastructure determination date stamp 07/06/2021.</p> <p>Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p>
11.20	<p>The development hereby permitted shall not become occupied unless secure and covered cycle parking has been provided in accordance with Proposed Site Layout Drawing No.102 Rev L recorded on the portal as being received by the Council on 19/05/2021. This cycle parking must be permanently maintained.</p> <p>Reason: To ensure acceptable cycle parking facilities are provided on the site and to encourage alternative modes of transport to the private car.</p>

11.21	<p>The Residential Travel Plan - Revision 2 recorded on the portal as being received by the Council on 24/05/2021 shall be implemented on completion of the development. The Travel Plan includes provision of a three-year Residential Travel Card Scheme for one occupier of each apartment. The Scheme shall begin upon the date of first occupation and terminate three years later. The Scheme shall provide a free Residential Travel Card to one occupier of each apartment (within one month of their occupation) which is valid for the remainder of the scheme period, or until the property is vacated, whichever comes first.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.22	<p>The development hereby permitted shall operate in accordance with the approved Service Management Plan recorded on the portal as being received by the Council on 17/07/2021.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p>
12.0	<p>Representations from Elected Representatives (if relevant) N/A</p>
13.0	<p>Referral to Dfl (if relevant) N/A</p>

ANNEX A	
Date Valid	10th July 2020
Date First Advertised	24th July 2020
Date Last Advertised	30th April 2021
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 1-5 ,Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 10 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 10 Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 12 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 12 Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 14 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 14 Redcar Street,Belfast,Down,BT6 9BP</p> <p>14, Ardgowan Street, Belfast, Down, Northern Ireland, BT6 9BU</p> <p>The Owner/Occupier, 16 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 16 Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 18 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 18 Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 1a ,Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 2 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 2 Redcar Street,Belfast,Down,BT6 9BP</p> <p>20 Ardgowan Street,Belfast,Down,BT6 9BU</p> <p>The Owner/Occupier, 20 Redcar Street,Belfast,Down,BT6 9BP</p> <p>22 Redcar Street,Belfast,Down,BT6 9BP</p> <p>24 Redcar Street,Belfast,Down,BT6 9BP</p> <p>26 Redcar Street,Belfast,Down,BT6 9BP</p> <p>28 Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 30 Redcar Street,Belfast,Down,BT6 9BP</p> <p>The Owner/Occupier, 32 Redcar Street,Belfast,Down,BT6 9BP</p> <p>34 Redcar Street,Belfast,Down,BT6 9BP</p>	

The Owner/Occupier,
36 Redcar Street,Belfast,Down,BT6 9BP

The Owner/Occupier,
366 – 398b Woodstock Road,Belfast,Down,BT6 9DQ

4 Ardgowan Street,Belfast,Down,BT6 9BU

The Owner/Occupier,
4 Redcar Street,Belfast,Down,BT6 9BP

The Owner/Occupier,
40 Redcar Street,Belfast,Down,BT6 9BP

The Owner/Occupier,
400 Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
402 Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
402a ,Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
404 Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
404a ,Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
406 - 418 Woodstock Road,Belfast,Down,BT6 9DQ

42 -48 Redcar Street,Belfast,Down,BT6 9BP

490 Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
5 Ardgowan Street,Belfast,Down,BT6 9BU

The Owner/Occupier,
50 Redcar Street,Belfast,Down,BT6 9BP

The Owner/Occupier,
6 Ardgowan Street,Belfast,Down,BT6 9BU

6, Redcar Street, Belfast, Down, Northern Ireland, BT6 9BP

The Owner/Occupier,
8 Ardgowan Street,Belfast,Down,BT6 9BU

The Owner/Occupier,
8 Redcar Street,Belfast,Down,BT6 9BP

The Owner/Occupier,
Apartment 2,366a ,Woodstock Road,Belfast,Down,BT6 9DQ

The Owner/Occupier,
Euston Street Primary School,163 Euston Street,Belfast,Down,BT6 9AG

Date of Last Neighbour Notification	5th May 2021
Date of EIA Determination	26th February 2021
ES Requested	No

Planning History

Ref ID: LA04/2019/0759/PAN

Proposal: Demolition of existing building and erection of residential development.

Address: 1-5 Redcar Street, Belfast, BT6 9BP.,

Decision: PAN Acceptable

Decision Date: 18.04.2019

Ref ID: Z/1998/0597

Proposal: Erection of 90 houses and flats

Address: WILLOWFIELD PHASE 1A & 1B. 103-129 CASTLEREAGH ROAD, 37-77 REDCAR STREET, 54-100 REDCAR STREET, 88-1

Decision: Permission Granted

Decision Date: 06.05.1999

Ref ID: Z/1989/0464

Proposal: Warehouse and ancillary offices (Approval of Reserved Matters)

Address: 1-5 REDCAR STREET BELFAST BT6

Decision: Permission Granted

Decision Date: 07.08.1989

Ref ID: Z/1989/0065

Proposal: Warehouse and ancillary offices

Address: 1-5 REDCAR STREET BELFAST BT6

Decision: Permission Granted

Decision Date: 22.03.1989

Ref ID: LA04/2015/1525/F

Proposal: Bicycle shelters-house 20nr bicycles-constructed on a concrete base

Address: Euston Street Primary School, Euston Street, Belfast, BT6 9AG,

Decision: Permission Granted

Decision Date: 10.02.2016