

# Public Document Pack

**Democratic Services Section  
Chief Executive's Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**

14th February, 2017

## **MEETING OF PLANNING COMMITTEE**

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following appendix will also be considered at the meeting to be held at 5.00 pm on Tuesday, 14th February, 2017.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

## **AGENDA:**

### **11. Planning Applications**

- (d) Appendix 1 - LA0420161789F Previous Committee Report – November, 2016

7-9 Arthur Street, 20-32 Chichester Street and existing building at 34-36 Chichester Street - Demolition of existing building at 34-36 Chichester Street and erection of new 8 storey mixed use development incorporating retail and office ground floor, and 1st-7th floor offices with associated external plant (Pages 1 - 14)

**This page is intentionally left blank**

**Development Management Officer Report  
Committee Application**

**Report to Planning Committee on 15 November 2016**

<b>Summary</b>	
<b>Committee Meeting Date: 15 November 2016</b>	
<b>Application ID:</b> LA04/2016/1789/F	
<b>Proposal:</b> Demolition of existing building at 34-36 Chichester Street and erection of new 8 No. Storey mixed use development incorporating retail and office ground floor, and 1st-7th floor offices with associated external plant.	<b>Location:</b> 7-9 Arthur Street 20-32 Chichester Street and existing building at 34-36 Chichester Street Belfast
<b>Referral Route: Major Application</b>	
<b>Recommendation: Approval</b>	
<b>Applicant Name and Address:</b> Orby Investment 20 Orby Link Belfast BT5 5HU	<b>Agent Name and Address:</b> Todd Architects 2nd Floor Titanic House 6 Queens Road Belfast BT3 9DT
<p><b>Executive Summary:</b> The application seeks full planning permission for Demolition of existing building at 34-36 Chichester Street and erection of new 8 No. Storey mixed use development incorporating retail and office ground floor, and 1st-7th floor offices with associated external plant.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- The acceptability of proposed office use at this location</li> <li>- The acceptability of the proposed retail use at ground floor</li> <li>- Demolition within the City Centre Conservation Area</li> <li>- Impact upon character and appearance of City Centre Conservation Area</li> <li>- Impact upon setting of adjacent listed building</li> <li>- The impact on existing roads infrastructure</li> <li>- Flooding</li> <li>- Pre-Application Community Consultation</li> <li>- Developer Contributions</li> </ul> <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within the Belfast City Centre Conservation Area and within the Civic Precinct Character Area (Designation CC0008). The principle of the office use and retail units at ground floor is acceptable given the city centre and primary retail core location.</p> <p>The demolition of the existing 4 storey building has been assessed against Policy BH14 of PPS6. It is considered that the existing building makes no material contribution to the character or appearance of the area and demolition is found to be acceptable, subject to an adequate replacement. Demolition of the existing 4 storey building on the site is sought under accompanying application LA04/2016/1775/DCA. The proposal will enhance the character of the conservation area, with a height similar to the previous approval on site and one which respects the height of the adjacent buildings and will ensure the development will be in keeping with the streetscape.</p>	

Department for Communities - Historic Environment Division has considered the impacts of the proposal on the adjoining listed Former Ross Mineral water Works Building, and on nearby listed buildings, and has offered no objection.

Transport NI, NIWater, HED Historic Monuments Unit and Historic Buildings Unit and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

Committee is requested to delegate the consideration of the final wording of the conditions to the Director of Planning and Place.

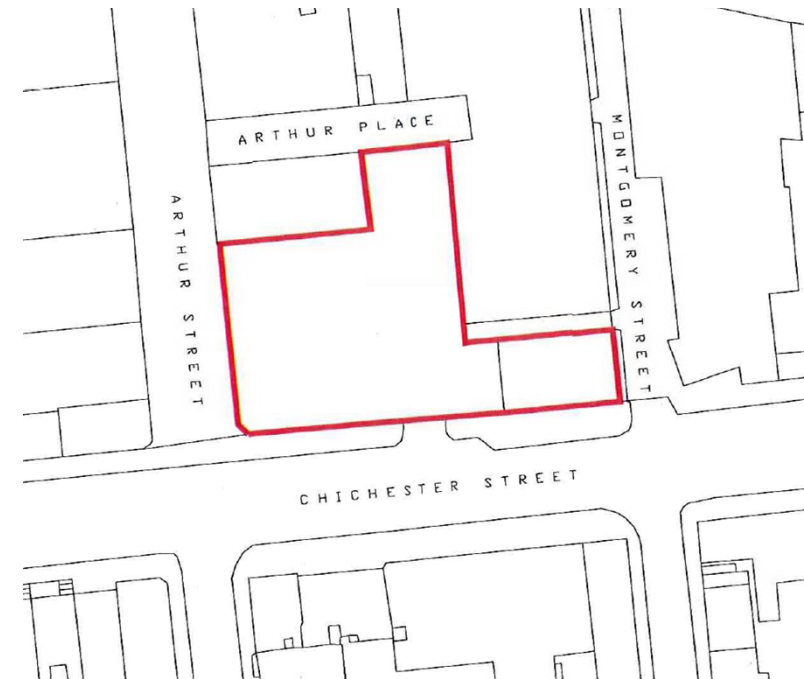
**Recommendation**

Approve subject to conditions set out in the case officer report and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions.

If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Place, on behalf of the Council in consultation with Legal Services, to agree the terms and enter into the Section 76 agreement.

**Case Officer Report**

**Site Location Plan**



- |     |  |
|-----|--|
| 1.0 | <b>Description of Proposed Development</b>   |
| 1.1 | Demolition of existing building at 34-36 Chichester Street and erection of new 8No. Storey mixed use development incorporating retail and office ground floor, and 1st-7th floor offices with associated external plant. |
| 1.2 | The glazed sixth and seventh floors are set back by approximately 2.8m from the shoulder of the building.  |
| 1.3 | The building has a frontage of approximately 64m onto Chichester Street and is approximately 32.5m deep. The building depth reduces onto Montgomery Street and follows the shape of the site with a frontage of 12.5m.   |

2.0	<b>Description of Site</b>
2.1	Much of the site is occupied by an existing surface level car park. A four storey red bricked office block is located in the eastern part of the site abutting Chichester Street and Montgomery Street.  The application site is located within the Belfast City Centre Conservation Area.
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	<b>Site History</b>
3.1	Z/2000/2986/O - Mixed Use Development - Retail and Offices. Site comprising 7-9 Arthur Place, 28-36 Arthur Street and 20-32 Chichester Street, Belfast. Approved 3 <sup>rd</sup> April 2003
3.2	Z/2001/3258/F - Mixed use development incorporating retail and offices. Site comprising 7-9 Arthur Place, 28-36 Arthur St, 20-32 Chichester St and existing buildings at 34-36 Chichester St, Belfast. Approved 26 <sup>th</sup> August 2003
3.3	Z/2002/0042/DCA - Demolition of existing 4 storey office & retail development. Allied Dunbar Building nos. 34-36 Chichester Street (junction with Montgomery Road) Belfast. Approved 26 <sup>th</sup> August 2003.
3.4	Z/2008/1978/F - Mixed use development incorporating retail and offices to have basement car park with plant and ancillary, ground floor retail, 1st-6th floors offices plus roof plant rooms. Site comprising 7-9 Arthur Place, 28-36 Arthur Street, 20-32 Chichester Street and existing building at 34-36 Chichester Street, Belfast. Approved 21 <sup>st</sup> February 2011.
4.0	<b>Policy Framework</b>
4.1	Belfast Metropolitan Area Plan 2015
4.2	SPPS Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning policy statement 5 – Retailing and Town Centres Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 15 – Planning and Flood Risk
5.0	Statutory Consultees Transport NI – No objection HED Historic Buildings Unit – Further info requested HED Historic Monuments Unit – No objection NIEA Water Management Unit – No objection Rivers Agency – Await Comment Informally indicated No Objection.
6.0	Non-Statutory Consultees Environmental Health BCC – No objection
7.0	Representations None received
8.0	<b>Other Material Considerations</b> City Centre Conservation Area guidance document Belfast City Centre Regeneration and Investment Strategy – September 2015.
9.0	<b>Assessment</b>
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- The acceptability of proposed office use at this location</li> <li>- The acceptability of the proposed retail use at groundfloor</li> <li>- Demolition within the City Centre Conservation Area</li> <li>- Impact upon character and appearance of City Centre Conservation Area</li> </ul>

	<ul style="list-style-type: none"> <li>- Impact upon setting of adjacent listed building</li> <li>- The impact on existing roads infrastructure</li> <li>- Flooding</li> </ul>
9.2	<p><b>Principle of Redeveloping the Site &amp; Height, Scale and Mass</b></p> <p>The site is located within the development limits of the Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below.</p>
9.3	<p>The site is located within the Primary Retail Core, the Civic Precinct (CC008) and within the City Centre Conservation Area as designated in BMAP. The proposal is an 8 storey building on the site of an existing 4 storey building and car park. A significant material consideration in this instance is the planning history on the site, which includes a 7 storey office building, approved on 21<sup>st</sup> February 2011.</p>
9.4	<p>The site is located within the Civic Precinct as designated in the Belfast Metropolitan Area Plan. This sets out a number of urban design criteria for the area and criteria specific to Chichester Street. There are criteria requiring new development to take account of the height of adjoining buildings and respecting the established building line. In terms of the site specific criteria there is a requirement that the part of the development which fronts onto Chichester Street shall be a minimum of height of 5 storeys and a maximum height of 7 storeys, with use of set back or sloping roof forms. The proposal, at 8 storeys, is a storey higher than the maximum 7 storey criteria. However there is a previous approval for a 7 storey building on the site (Z/2008/1978/F – approved 21<sup>st</sup> February 2011). This approval, although lapsed in February 2016, remains a material consideration in the assessment of the current proposal. The approved building has a maximum height of approximately 33m, falling to 29m, with the top two floors stepped back from Chichester Street. The shoulder height of the approved building is approximately 20m. The overall massing of the proposed building is similar with a maximum height of approximately 33m and a shoulder height of approximately 25m. Given the proportions of the previous approval, the fact that it is only one storey higher than the recommended 7 storey maximum height set out in BMAP, the scale and massing are found to be acceptable in what is a high-rise city centre streetscape.</p>
9.5	<p>The proposed building has a height of approximately 32.8m. With the top two floors set back the shoulder height sits at approximately 24.8m. This is approximately 11.8m higher than the shoulder height of the adjacent building to the west to the other side of Upper Arthur Street and approximately 3m higher than the building to the east to the other side of Montgomery Street. Having said this the building to the east which form part of the Victoria Square complex In terms of the proposed building line the front of the front of the building has an almost identical building line to the buildings along Chichester Street and therefore complies with this criterion.</p>
9.6	<p>The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The design is contemporary with a modern take on the typical vertical proportions of buildings of a similar scale in the City Centre. The design shall be considered in more detail below.</p>
9.7	<p><b>Acceptability of Office Use</b></p> <p>In terms of the proposed office use, the site is within a prime city centre location. The proposal has been assessed against Policy OF1 of the Plan Strategy and Framework (Pat1-3 Volume 1) of the Belfast Metropolitan Area Plan. The Policy States that Planning permission will be granted for office development in the designated Belfast City Centre. The proposal therefore complies with this Policy given the site's city centre location.</p>

9.8	<p><b>Acceptability of the Retail Units at ground floor</b> Retail policy considerations are set out in the SPPS and BMAP. The site is located within the primary retail core. The retail units have a total floor area of approximately 876 square metres.</p>
9.9	<p>As the site is located within the primary retail core, with the retail units located at ground floor ensuring a vibrant frontage, the principle of this use is acceptable and in keeping with retail policy.</p>
9.10	<p><b>Demolition and development within City Centre Conservation Area</b> The proposal has been assessed against Policy BH14 of PPS6. The existing building has some architectural merit but not be one of the better examples of the City Centre Conservation Area's essential character and therefore makes no material contribution to the character or appearance of the area. Demolition is therefore acceptable, subject to an adequate replacement. It should be noted that demolition of the building has already been granted under Z/2002/0042/DCA, detailed above under Site History. There was no time limit on this condition and therefore remains extant.</p>
9.11	<p>The proposal has been assessed against Policy BH12 of PPS6. The site is located within the City Centre Conservation Area as designated in the Belfast metropolitan Area Plan. The design was subsequently amended. The proposed buildings shoulder height sits sympathetically with adjacent buildings in the area. The set-back on the upper two floors should ensure that the overall massing is reduced from a streetscape point of view. The massing of the two upper floors is subservient to the main part of the building and is of a light weight construction. This helps provide a clear, base, middle and top to the overall composition. A strong vertical emphasis has been created with the proposed curtain walling on the front elevation with a hierarchy introduced in the solid: void ratio. Heed is paid to the neoclassical / horizontal paradigm of subdivision of facades into base, middle and attic. Given the quality of the proposed scheme and the small scale nature and minimal aesthetic value of the existing building to the area, the proposal will enhance the character of the conservation area.</p>
9.12	<p><b>Contamination</b> Preliminary and Generic Quantitative Risk Assessments (PRA and GQRA) have been presented by WYG Environment (WYG) in support of the above application. Environmental Protection Unit (EPU) of Belfast City Council have confirmed that their records do not indicate potential land contamination associated with past land-use on or in close proximity to this proposed development.</p>
9.13	<p>The GQRA is informed by intrusive site data. No unacceptable risks to environmental receptors have been identified. NIEA - Waste Management (WM) (Land and Groundwater Team) has no objections to the development provided Conditions are placed on any Planning Decision Notice. These conditions are detailed below at 11.2 and 11.3.</p>
9.14	<p><b>Impact on amenity</b> The proposal has also been assessed against paragraphs 4.12 and 4.13 of the SPPS, in terms of potential impact on amenity of adjacent properties. The proposed building is set within a high density, high-rise inner urban context. The building which would arguably experience the greatest impact in terms of loss of light/ overshadowing is the existing building adjacent to the site on Montgomery Street. However it should be noted that the windows in the gable of this building are already overshadowed by the existing building on the site and although the proposed building is higher the separation distance remains the same with the right of way separating the two buildings and any increased impact on the amenity of the adjacent building should not be significant. Although the footprint of the proposed building is much greater than that of the existing building it should be viewed in</p>



	<p>this high density inner urban context where high rise buildings sit cheek by jowl a level of overshadowing is to be expected within the immediate vicinity of the site.</p>
9.15	<p>EPU have reviewed the Lester Acoustics report titled 'Proposed Erskine House Office Development, Chichester Street, Belfast: Inward and Outward Sound Level Impact Assessment' dated 9<sup>th</sup> August 2016. The closest residential properties are located approximately 10m east of the site and form part of the Victoria Square complex. The report recommends maximum noise levels that should be endured from the rooftop plant both during the day and during the night at these nearest noise receptors. Environmental Protection Unit have recommended that a condition is attached to ensure that the noise levels from all combined external plant shall not exceed the background sound level both daytime and night time. This condition is detailed at 11.4. A condition has also been recommended to ensure the occupiers of the proposed building do not suffer from external noise sources, this condition is detailed at 11.5. A condition has also been recommended requiring a Construction Noise Management plan be submitted prior to commencement of development which would outline methods to minimise the noise and vibration impact of the demolition of the existing building on the site.</p>
	<p><b>Traffic and Parking</b></p>
9.16	<p>The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. No in-curtilage parking spaces have been proposed on the site. A Travel Plan was submitted in support of the application which outlines the accessibility of this city centre site including the proximity to the Central railway Station and Great Victoria Street Transport Centre. No objection has been raised to the loss of the existing surface level car park.</p>
	<p><b>Listed Buildings and Historic Monuments</b></p>
9.17	<p>The proposal has been assessed against Policy BH11 of PPS6. Historic Environment Division (HED) has whether the application for 7-9 Arthur Street, 20-32 Chichester Street, Belfast affects HB26/50/100 State Buildings, 16-22 Arthur Street, Belfast a Grade B1 listed buildings of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.</p>
9.18	<p>The application site also abuts the Former Ross Mineral Water Works, 17-19 William Street South and 1-7 Montgomery Street, a Grade B2 listed building and lies in close proximity to 25-39 Arthur Street (a Grade B1 listed building) and Malcolm Jewellers, 16-18 Chichester Street (a Grade B2 listed building).</p>
9.19	<p>HED has considered the impacts of the proposal on listed building and on the basis of the information provided requested that additional information be submitted in the form of sections between the junction of the new building and the adjoining Mineral Water Works, taking account of the existing overhanging coping to the parapet wall and the existing rainwater goods. Amendments to the rear elevation are also requested, as these will be seen alongside the Former Ross Mineral Water Works, in order to break up the scale of the building when viewed from Montgomery Street. HED have requested that the top two floors are clad in the same material as the top two floors on the front elevation.</p>
9.20	<p>In relation to concerns raised about the proximity to the coping on the adjacent listed building it is clear that the coping is not present on the gable which immediately abuts the site and thus will not be affected by the proposal. It has also been demonstrated that downpipes on the existing building adjacent to the site are set back from the rear elevation of the building and thus are located beyond the application site and will not be affected by the development. A 3-D visual has shown that views of the proposal from the south facing approach along Montgomery Street are limited given the restrictive street width and height of adjacent buildings.</p>

9.21	Based on the information provided and given the planning history on the site the proposal does not represent a demonstrable negative impact on the listed structure.
9.22	The proposal has been assessed against Policy BH4 of PPS6. The application site is located within the Belfast Area of Archaeological Potential, designated under the Belfast Metropolitan Area Plan (BMAP) 2015 to protect the above ground and below-ground archaeological remains associated with early development of the settlement. It is also in close proximity to a number of archaeological monuments and Industrial Heritage Sites of local importance that are protected under Policy BH2 of PPS6; and is also within the supposed area of the 1649 Battle of Belfast.
9.23	Historic Environment Division: Historic Monuments Unit (HED:HM) has considered the impact of the proposal on the historic environment. HED:HM is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i> , as per Policy BH 4 of PPS 6. The attached conditions would be appropriate in this case (11.5 and 11.6).
	<b>Flooding</b>
9.24	The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is within the 1 in 200 year coastal flood plain
9.25	On the basis that Planning Service are deeming this application to be an Exception to Revised PPS 15, Rivers Agency has reviewed the Flood Risk Assessment.
9.26	Rivers Agency, while not being responsible for the preparation of the report accepts its logic and has no reason to disagree with its conclusions. Hence Rivers Agency have no specific reason to object to the proposed development from a drainage or flood risk perspective.
	<b>Pre-application Community Consultation</b>
9.27	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.
9.28	Section 27 also requires that a prospective applicant, prior to submitting a major applications 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 (LA04/2016/0896/PAN) was submitted to the Council on 29 <sup>th</sup> April 2016.
9.29	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 to accompany the planning application.
9.30	A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:
9.31	The first Public Event took place in Ten Square Hotel, 10 Donegall Square, on Thursday 16 <sup>th</sup> June 2016. This event was advertised in the Belfast Telegraph on Thursday 9 <sup>th</sup> June 2016. An invitation leaflet containing details of the public event was distributed to properties in the immediate vicinity of the site. Direct invites were also issued to a number of Councillors in the Botanic DEA and an MP in South Belfast.

9.32	A total of six members of the public registered attendance at the event and two feedback forms were completed. Imagery from the public presentation was also provided to the Future Belfast website in an effort to engage with a wider audience.
9.33	Following the public event, a further round of individual engagement was undertaken with all the adjoining landowners/ occupiers that did not attend the event. It is stated that the proposals were warmly received. Some concerns were raised by a major local retailer about the loss of the surface car park which is considered of benefit to their business.
9.34	Although no concerns were raised by the occupants of the neighbouring Victoria Square apartments the Montgomery Street elevation was reviewed, with the extent of glazing reduced and vertical fins introduced to restrict potential overlooking.
9.35	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.
9.36	<p><b>Economic Development</b></p> <p>Paragraph 4-19 of the SPPS encourages a positive approach to appropriate development proposals supporting growth generating activities.</p>
9.37	The proposed development sits in what is the principal office district for the city. There is presently significant demand for Grade A office space which cannot be met. The proposal therefore has the significant potential for job creation and will address an identified need. As referred to previously this proposal would provide office accommodation, conservatively, for 1000 people not to mention other spin off benefits and jobs that would be likely to follow.
9.38	<p><b><u>Developer Contributions</u></b></p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council to provide contributions to local environmental improvements to mitigate against the impacts of increased footfall at this location.</p>
9.39	In this case it is considered that this should primarily take the form of public realm improvements to the streetscape within the locality. The obligations to be undertaken are to be agreed with the developer / landowner and the developer has expressed a willingness and commitment to provide satisfactory contributions.
10.0	<b>Summary of Recommendation:</b>
10.1	Mixed Use retail and office proposal in a highly accessible city centre location is considered acceptable. Previous planning approval on the site including an approval for a 10 storey office building. The existing building does not make a positive contribution to the character of the conservation area and thus its demolition is acceptable. The proposal has been amended to address concerns in terms of height, scale and design, and is now considered to be more sympathetic to the character of the City Centre Conservation Area.
10.2	Statutory and non-statutory consultees have offered no objections to the proposal, whilst a Flood Risk Assessment has been submitted to address issues raised by Rivers Agency and further supporting information submitted to address HED concerns regarding impact upon adjacent listed building.
11.0	<b>Conditions</b>

11.1	As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
	Reason: Time Limit.
11.2	<p>Notwithstanding the details shown on the drawings hereby approved, full particulars of the following shall be submitted to and approved by the Council in writing prior to commencement</p> <ol style="list-style-type: none"> <li>1. 1:1 mock up panels</li> <li>2. Sample board for all external materials</li> <li>3. Details of enclosure to roof plants.</li> </ol>
	Reason: To ensure that the external appearance of the building is satisfactory and does not detract from the character and visual amenity of the area.
11.3	<p>If during the development works, new contamination and risks are encountered which has 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 Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented to its satisfaction.</p>
	Reason: Protection of environmental receptors to ensure the site is suitable for use.
11.4	<p>After completing any remediation works required under Condition 3, 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 Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p>
	Reason: Protection of environmental receptors to ensure the site is suitable for use.
11.5	<p>The rating level(dB Lar) of sound from all combined building services plant associated with the proposal does not exceed the background sound level (for both daytime and night time) at the nearest sound sensitive premises when measured in accordance with assessment methodology outlined in BS4142:2014-Methods for rating sound and assessing industrial and commercial sound.</p>
	Reason: Protection of residential amenity.
11.6	<p>Prior to development commencing, a Construction Noise Management Plan should be developed and submitted for review and approval by Belfast City Council. This Plan should outline the methods to be employed to minimise any noise and vibration impact of demolition and construction operations demonstrating 'best practicable means'. The Plan should pay due regard to <i>BS 5228:2009 Noise and Vibration Control on Construction and Open Sites</i> and include a detailed programme for the demolition/construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and evidence of neighbour liaison.</p>
	Reason: Protection of residential amenity.
11.7	No site works of any nature or development shall take place until a programme of

	<p>archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Council. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
11.8	<p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p>
11.9	<p>The development hereby permitted shall not be occupied until the associated hard surfaced area have been constructed in accordance with the approved layout Drawing No. 03 'Ground Floor Plan' and bearing Belfast City Council Planning Office date stamp 18 August 2016 to provide adequate facilities for cycle parking and for servicing. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for cycle parking and servicing.</p>
11.10	<p>The development hereby permitted shall operate in accordance with the approved Travel Plan bearing Belfast City Council Planning Office date stamp 18 August 2016. This includes provision of the Translink Corporate Commuter Initiative, the Translink TaxSmart Initiative and the Bike2Work Initiative or equivalent measures agreed by TransportNI.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and in the interests of road safety and the convenience of road users.</p>
11.11	<p><b>Informatives</b></p> <p>For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:  Historic Environment Division – Historic Monuments  Causeway Exchange  1–7 Bedford St  Belfast,  BT2 7EG  Tel: 02890 823100  Quote reference: SM11/1 ANT 061:017</p>
11.12	<p>Application for the excavation licence, required under the <i>Historic Monuments and Archaeological Objects (NI) Order 1995</i>, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to:  Historic Environment Division – Historic Monuments  Causeway Exchange  1–7 Bedford St  Belfast,</p>

	BT2 7EG
11.13	The purpose of the Conditions 2 and 3 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and endues of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.
11.14	The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.
11.15	The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Infrastructure for which separate permissions and arrangements are required.
11.16	Notwithstanding the terms and conditions of the Department for Infrastructure's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Transport NI Section Engineer whose address is 148-158 Corporation Street, Belfast, BT1 3DH
11.17	<p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.</p> <p>Eastern Division Hydebank 4 Hospital Road BELFAST BT8 8JL</p> <p>All construction plant and materials shall be stored within the curtilage of the site.</p>
11.18	It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.
12.0	Notification to Department (if relevant) N/A
13.0	Representations from elected members: None
Neighbour Notification Checked	
Yes	

<b>ANNEX</b>	
<b>Date Valid</b>	24th August 2016
<b>Date First Advertised</b>	9th September 2016
<b>Date Last Advertised</b>	4 <sup>th</sup> November 2016
<b>Details of Neighbour Notification</b> (all addresses)	
<p>11 Chichester Street, Town Parks, Belfast, Antrim, BT1 4JA  11A Chichester Street, Town Parks, Belfast, Antrim, BT1 4JA,  13 Chichester Street, Town Parks, Belfast, Antrim, BT1 4JB,  15-19, William Street South, Town Parks, Belfast, Antrim, BT1 4FT,  16 Arthur Street, Town Parks, Belfast, Antrim, BT1 4GD,  17 Chichester Street, Town Parks, Belfast, Antrim, BT1 4JB,  19-25 Chichester Street, Town Parks, Belfast, Antrim, BT1 4JB,  21-27 Londonderry House, Chichester Street, Town Parks, Belfast, Antrim, BT1 4JB,  24-26 Arthur Street, Town Parks, Belfast, Antrim, BT1 4GF,  25A Chichester Street, Town Parks, Belfast, Antrim, BT1 4JB,  27 – 29 Chichester Street, Town Parks, Belfast, Antrim, BT1 4JB,  3-5 Arthur Place, Town Parks, Belfast, Antrim, BT1 4HG,  31-41, Chichester Street, Town Parks, Belfast, Antrim, BT1 4LD,  34-36, Chichester Street, Town Parks, Belfast, Antrim, BT1 4LD,  41 Arthur Street, Town Parks, Belfast, Antrim, BT1 4GD,  43-47 Arthur Street, Town Parks, Belfast, Antrim, BT1 4GD,  49 Arthur Street, Town Parks, Belfast, Antrim, BT1 4GD,  7-9 State Buildings, Arthur Place, Town Parks, Belfast, Antrim, BT1 4HG,  Apartment 0J 70 Chichester Street Belfast  Apartment 1A 70 Chichester Street Belfast  Apartment 2B 70 Chichester Street Belfast  Apartment 3C 70 Chichester Street Belfast  Apartment 4D 70 Chichester Street Belfast  Apartment 5E 70 Chichester Street Belfast  Apartment 6F 70 Chichester Street Belfast  Apartment 7G 70 Chichester Street Belfast  Apartment 8H 70 Chichester Street Belfast  Apartment 9I 70 Chichester Street Belfast  F1 70 Chichester Street Belfast  F2 70 Chichester Street Belfast  F3 70 Chichester Street Belfast  F4 70 Chichester Street Belfast  Topshop 70 Chichester Street Belfast  Victoria Sq. Management, 1 Victoria Sq., Belfast, BT1 4QG</p>	
<b>Date of Last Neighbour Notification</b>	7th September 2016
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	N/A
<b>Drawing Numbers and Title</b>	
01, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17	

**This page is intentionally left blank**