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**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

4th March, 2020

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item(s) will also be considered at the meeting to be held at 5.00 pm on Tuesday, 10th March, 2020.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

5. Planning Appeals Notified (Pages 1 - 4)

Planning Applications

- 8. (c)** LA04/2019/2299/F - Demolition of existing property and re-development of the site including the provision of approximately 230,730sqft gross new build floorspace comprising office on 6 levels over active ground floor uses including retail, restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment 1-7 Fountain Street, 24-40 Castle Street and 6-8 Queen Street (Pages 5 - 24)
- (d)** LA04/2019/0517/F - Residential development comprising 154 units and ground floor retail unit at El Divino Nightclub and car park and adjacent open space, Mays Meadow (Pages 25 - 50)
- (e)** LA04/2019/2850/F - Extensions to existing aerospace manufacturing facility and associated site works to include internal access road, replacement car parking, drainage and existing access onto Heron Road Bombardier Wing Manufacturing and assembly Facility, Airport Road West (Pages 51 - 70)

- (f) LA04/2018/0022/F - Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation ; replacement of floodlit grass pitch with floodlit synthetic pitch, 2 floodlit multi-use games areas, pre-nursery building housing 1 classroom and a small outdoor play area, a new footpath link from the Shaw's Road, noise barriers and associated car parking at Rossa Park, Shaw's Road (Pages 71 - 86)

Agenda Item 5

PLANNING COMMITTEE – 10 MARCH 2020

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2019/E0061

PLANNING REF: LA04/2018/0391/CA

APPLICANT: Mr Albert Pau

LOCATION: Land at the junction of Ormeau Embankment and Ravenhill Reach

PROPOSAL: Alleged unauthorised fence at the junction of Ormeau Embankment and Ravenhill Reach

PROCEDURE:

ITEM NO 2 PAC REF: 2019/A0220

PLANNING REF: LA04/2019/0923/F

APPLICANT: Ms Carole Wray

LOCATION: 14 Antrim Road, Newtownabbey, BT36 7JP

PROPOSAL: Demolition of existing dwelling and the construction of 10 houses and 12 apartments

PROCEDURE:

ITEM NO 3 PAC REF: 2019/E0062

PLANNING REF: EN/2020/0001

APPLICANT: Mr Patrick McManus

LOCATION: Land to the north and east of 11 Manse Road, Castlereagh

PROPOSAL: Alleged unauthorised change of use from an agricultural field to an unauthorised wood cutting business with associated storage of logs and chipping, two storage containers and hardstanding

PROCEDURE:

APPEALS NOTIFIED (CONTINUED)

ITEM NO	4	PAC REF:	2019/A0228
PLANNING REF:	LA04/2018/1817/F		
APPLICANT:	Mr Sean Matthews		
LOCATION:	Land at 25 Colinglen Road		
PROPOSAL:	Retention of existing fuel sales to include floodlights, fuel pipeline, fuel storage containers, fence and mobile office and proposed lean to shelter		
PROCEDURE:			
ITEM NO	5	PAC REF:	2019/A0231
PLANNING REF:	LA04/2019/2530/A		
APPLICANT:	Conor McGarry		
LOCATION:	Forecourt of 425 Upper Newtownards Road		
PROPOSAL:	Replace existing standard 48 sheet display panel with 1 x 48 sheet lightbox display unit		
PROCEDURE:			
ITEM NO	6	PAC REF:	2019/E0064
PLANNING REF:	EN/2019/0216		
APPLICANT:	Mr Steven Nicoll		
LOCATION:	Upper Floor, 33 Church Lane, Belfast, BT1 4QN		
PROPOSAL:	Alleged unauthorised change of use of the upper floor of 33 Church Lane from office (Class 2 – Financial, Professional and other Services) to Escape Rooms, Belfast (Class D Assembly and Leisure)		
PROCEDURE:			

APPEAL DECISIONS NOTIFIED

ITEM NO	1	PAC REF:	2019/E0011
PLANNING REF:	LA04/2018/2583/LDE		
RESULT OF APPEAL:	Allowed		
APPLICANT:	Farrons Construction		
LOCATION:	8A Glenmachan Park, Ballymaghan, Belfast		
PROPOSAL:	Unoccupied 2 storey dwelling house		

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2299/F + LA04/2019/2303/DCA	
Proposal: Demolition of existing property and re-development of the site including the provision of approximately 230,730sqft gross new build floorspace comprising class B1(a) office on 6 levels over active ground floor uses including retail (A1), restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment.	Location: 1-7 Fountain Street 24-40 Castle Street and 6-8 Queen Street Belfast BT1 5EA.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: ES NUH Limited 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: Todd Architects 6 Queens Road Belfast BT3 9DT
Executive Summary: The application seeks full planning permission for demolition of existing buildings and re-development of the site including the provision of approximately 230,730sqft gross new build floorspace comprising class B1(a) office on 6 levels over active ground floor uses including retail (A1), restaurants and cafes and undercroft carparking of 37 spaces and related access for the redevelopment. The application originally proposed a hotel as part of the redevelopment proposals, however, this element has been removed from the scheme and replaced by additional office accommodation. Re-consultation has been carried out on the amended description. The key issues in the assessment of the proposed development are: <ul style="list-style-type: none"> - Principle of redeveloping the site for office and retail uses - Demolition in a Conservation Area - Impact on the setting of Listed Buildings - Scale, Massing and Design - Traffic and Parking - Contamination - Impact on Amenity - Impact on Protected Species - Flooding and Drainage - Waste Management - Pre-application Community Consultation 	
Statutory Consultees DfI Roads – No objection subject to conditions	

DAERA Waste Management Unit – No Objection
DAERA Water Management Unit – No objection
DAERA Natural Environment Division – No objection
DfI Rivers Agency – No Objection
Belfast City Airport – No Objection
Rivers Agency – Awaiting final response
HED Historic Buildings Unit – No objections
HED Historic Monuments Unit – No objection subject to conditions

Non-Statutory Consultees

Environmental Health (BCC) – Approval subject to conditions
Urban Design Officer – No objection
Conservation Officer – No objection
City Regeneration and Development (BCC) – No objection
Building Control (BCC) – No objection

The proposal would support the regeneration of the area and create modern commercial business premises which would support employment and be beneficial to the economy.

The buildings proposed to be demolished do not make a positive contribution to the character of the City Centre Conservation Area.

The proposal is considered sympathetic to the characteristic built form of the wider area, and would not be harmful to the scale, form, materials and detailing of adjoining buildings. Important views within, into and out of the area would be suitably protected, and overall it would provide a positive contribution greater than that which currently exists on site. The character and appearance of the Conservation Area would be enhanced. The setting of nearby Listed Buildings would be safeguarded.

No third party representations have been received regarding this proposal to date.

Recommendation

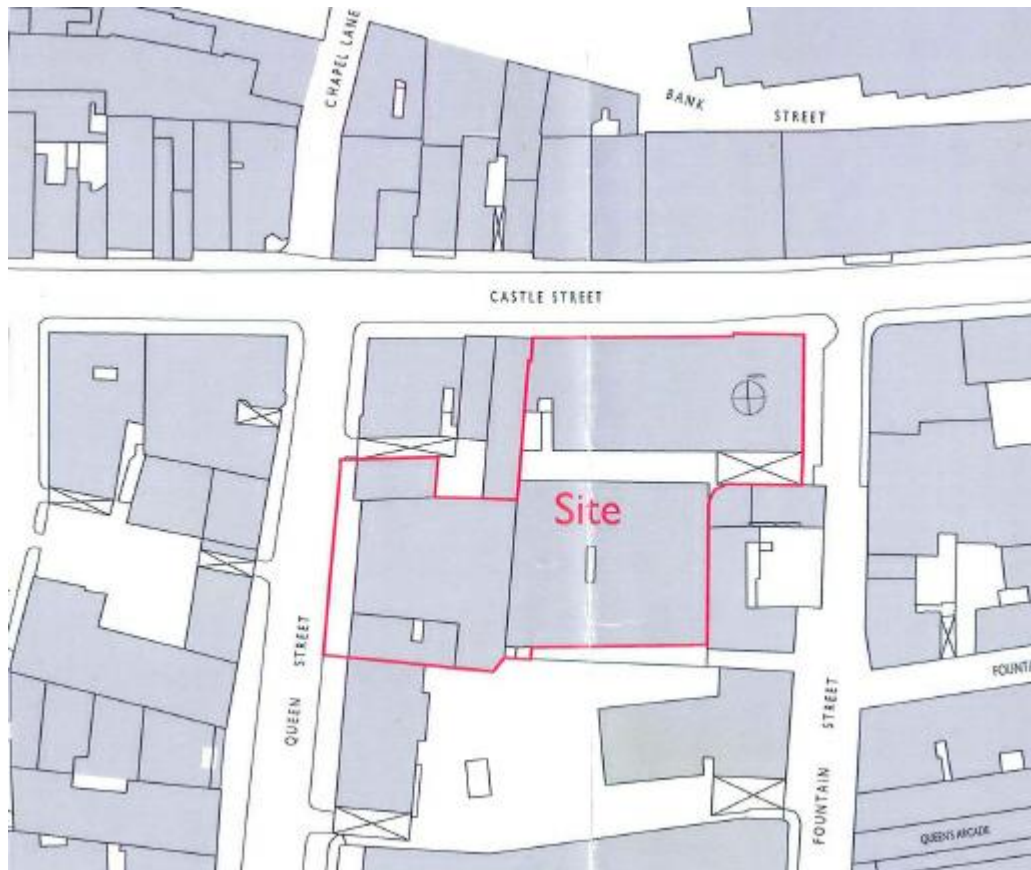
Having regard to the Development Plan and relevant material considerations, it is considered that the proposal is acceptable.

It is recommended that planning permission and Conservation Area Consent are granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.

Signature(s):

Case Officer Report

Site Location Plan

**1.0 Description of Proposed Development**

- 1.1 The proposal is for a 7 storey building with a frontage on three city centre streets – Fountain Street, Castle Street and Queen Street. It would comprise approximately 21,435sqm gross new build floorspace including Class B1 (a) office on 6 levels over active ground floor uses including retail, restaurants and cafes and undercroft carparking of 37 spaces.

1.2	Along Fountain Street, Castle Street and Queen Street, the building comprises a uniform five storey shoulder height (21.0m) which includes an extended parapet, with a further two floors setback above which rise to around 28.0m.
1.3	Four retail Units are proposed at ground floor level along Castle Street and one along Queen Street.
1.4	37 basement car parking spaces will be provided, accessed only from Queen Street. Pedestrian access to the offices provided from Fountain Street, and for the retail units from Castle Street and Fountain Street.
2.0	Description of Site
2.1	The site consists of "Norwich Union House" fronting onto Castle Street and Fountain Street, a gap site onto Queen Street and a multi-storey car park in between.
2.2	Norwich Union House is a six storey building comprising retail units at ground floor on Castle Street and commercial/office units above. Constructed in 1962, Norwich Union House is typically of its time being clad in concrete panels and curtain walling.
2.3	The site currently provides 2,560 sqm of office space, 810 sqm of retail space and a 200 space multi-storey car park.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Planning History
3.1	Z/2004/2278/F Proposal: Renewal of permission granted for a 6 storey building (previous planning ref: Z/1999/2151) Address: 6-8 Queen Street, Town Parks, Belfast, Northern Ireland, BT01 6ED Decision: Approval Decision Date: 28.02.2005
3.2	Z/2006/2044/F Proposal: Demolition of existing building and erection of new 7 storey building, retail on ground and first floor with offices on upper floors. Address: Olive Tree House, 23-31 Fountain Street, Belfast Decision: Approval Decision Date: 24.01.2008
3.3	Z/2008/2433/F Proposal: Amendment to previous scheme (Z/2006/2044/F) to include demolition of existing building and erection of an 8 storey building with retail on ground and first floors and offices above. Address: Olive Tree House, 23-31 Fountain Street, Belfast. Decision: Approval Decision Date: 16.04.2009
3.4	Z/2009/0622/F Proposal: Erection of 122 room budget hotel with bar/ restaurant and conference facilities, 2 No. retail units & associated car parking. Address: 6-8 Queen Street, Belfast. BT1 Decision: Approval Decision Date: 14.11.2012

3.5	LA04/2019/0068/F Proposal: Demolition of existing building and construction of 54 apartments with associated landscaping and a retail unit at ground floor. Address: Westgate House, 2-4 Queen Street, Belfast., Decision: Resolved to be granted permission by Planning Committee
4.0	Policy Framework
4.1	Belfast Urban Area Plan Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area' Developer Contribution Framework 2020
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 Heritage Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 – Planning and Flood Risk Development Control Advice Note 4 – Restaurants, Cafes and Fast Food Outlets
5.0	Statutory Consultees DfI Roads – No objection subject to conditions DAERA Waste Management Unit – No objection DAERA Water Management Unit – No objection DAERA Natural Environment Division – No Objection DfI Rivers Agency – No objection Belfast City Airport – No objection Rivers Agency – Awaiting final response HED Historic Buildings Unit – No objections HED Historic Monuments Unit – No objection subject to conditions
6.0	Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions Urban Design Officer – No objections Conservation Officer – No objections City Regeneration and Development (BCC) – No objection Building Control (BCC) – No objections
7.0	Representations None Received
8.0	Other Material Considerations City Centre Conservation Area guidance document The Belfast Agenda The Belfast City Centre Regeneration and Investment Strategy (BCCRIS) (2015)
9.0	PLANNING ASSESSMENT
9.1	The key issues in the assessment of the proposed development are: <ul style="list-style-type: none"> - Principle of redeveloping the site for office and retail uses - Demolition in a Conservation Area - Impact on the setting of Listed Buildings - Scale, Massing and Design - Traffic and Parking - Contamination

	<ul style="list-style-type: none"> - Impact on Amenity - Impact on Protected Species - Flooding and Drainage - Waste Management - Pre-application Community Consultation
9.2	<p>Principle of redeveloping the site for office and retail uses</p> <p>Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan (BUAP). However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 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.</p>
9.3	<p>Given the advanced stage that BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the only areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p>
9.4	<p>In the BUAP the site is located on unzoned “whiteland”. In the earlier version of Draft Belfast Metropolitan Area Plan 2004 the site is located within the Main Office Area and Primary Retail Core. In the latest version of Draft BMAP 2015 the site is within the Primary Retail Core and Old City Character Area. The proposed uses are considered acceptable in principle having regard to these designations. The proposal would support the regeneration of the area and create modern commercial business premises which would support employment and be beneficial to the economy.</p>
9.5	<p><u>Objections to Designations and Development Opportunity Sites in Draft BMAP</u></p> <p>There were a number of general objections to all Character Areas and in particular to specific design criteria. The PAC concluded that in general the design criteria were merited and basic expectations of responsive urban design within a City Centre context.</p>
9.6	<p><u>Acceptability of Ground Floor Retail Uses</u></p> <p>The retail element of the proposal has been assessed against the SPPS. The proposed ground floor retail units are located within the Primary Retail Core and in keeping with the overall thrust of the SPPS in terms of locating retail proposals in city and town centres. These ground floor units will also help the ongoing regeneration of Castle Street area, promote vibrancy and contribute to addressing issues of vacancy in the area identified within Belfast City Centre Regeneration and Investment Strategy (BCCRIS). The Inner North West Masterplan acknowledges “that retail will continue to be an important use along Castle Street with mixed-use development incorporated in the areas to the north of Castle Street, while office development is likely to the south”.</p>
9.7	<p>Demolition in a Conservation Area</p> <p>The proposal has been assessed against Policy BH14 of PPS6. The existing building is considered to have little in the way of architectural merit and does not considered to contribute to the character and appearance of the Conservation Area. The Conservation Officer has expanded on this by stating:</p> <p><i>‘It (the existing building) features a variety of massing and elements ranging from 3 to 6 storeys, with various setbacks and articulation that overall present a fractured, unattractive and uneven massing across the site and which is highly visible from both street frontages; in particular from Queen Street where direct views are afforded through the open site to the back of house, servicing and car-parking elements. It does not incorporate any redeeming features of architectural or historical interest that would be</i></p>

	<p><i>worthy of retention, and its removal would not have a negative impact on its surroundings or the wider area as a whole</i>’.</p> <p>Demolition is therefore acceptable, subject to an adequate replacement scheme. The consent to demolish has been sought separately under application LA04/2019/2303/DCA.</p>
9.8	<p>Impact on the setting of Listed Buildings</p> <p>The proposal has been assessed against Policy BH11 of PPS6. Historic Environment Division (HED) has considered the potential impacts of the proposal on the following listed buildings:</p> <ul style="list-style-type: none"> • HB26/50/027 Former Children’s Hospital (RUC Barracks) Queen Street (Grade B1) • HB26/50/032 Anderson and McCauley, 1-9 Donegall Place, 2-16 Castle Street (Grade B1) • HB26/50/153 Bank Buildings Castle Place (Grade B1)
9.9	<p>To improve the impact of the proposed development on the setting of Nos. 1-9 Donegall Place/2-16 Castle Street to the south (Zara - Anderson & McCauley building), and on the advice of HED, the upper two floors incorporate a deep setback of 6.5m along Fountain Street, whereas a shallower setback of 2.5m is proposed along Castle Street.</p>
9.10	<p>HED (Historic Buildings) has no objection. It is considered that the scale, form and design of the proposal would not harm the setting of the nearby Listed Buildings.</p>
9.11	<p>Impact on Historic Monuments</p> <p>The application site is in close proximity to the 17th Century town ditch of Belfast (ANT 061:022). The recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site, with particular focus on 17th Century settlement and the later industrial development of Belfast.</p>
9.12	<p>Historic Environment Division (Historic Monuments) has considered the impacts of the proposal and is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for 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. These conditions (6, 7 and 8) are detailed below in Section 11.</p>
9.13	<p>Impact on the character and appearance of the City Centre Conservation Area</p> <p>The proposal has been assessed against Policy BH12 of PPS6. The site is located within the City Centre Conservation Area. Section 104 of the Planning (NI) Act 2011 places a statutory duty on the Planning Authority to pay special desirability to the preservation or enhancement of the character or appearance of the conservation area.</p>
9.14	<p>New buildings should be designed with respect for their context, and should be sympathetic and complimentary to the existing character and appearance of the area as a whole. There is a varied and eclectic mix of individual height, scale and massing in the area, with the building line of Castle Street diminishing in height as you move west on Castle Junction from 5 to 7 storeys to smaller units of 2 to 3 storey. On Queen Street the massing is more unified at 4 to 6 storeys, however the open nature of the application site on Queen Street directly contradicts this and allows direct and unattractive views of the back of house car-parking and servicing.</p>

9.15	<p>The Conservation Officer notes that:</p> <p><i>'The combination of this gap (on Queen Street) in the streetscape and high visibility of the unattractive rear elements significantly detracts from the character and appearance of the conservation area.'</i></p>
9.16	<p>Due cognisance has been given to the Conservation Area context, with the Conservation Officer makes the following comment:</p> <p><i>'.....shoulder heights and design cues generally correspond to other taller buildings including those that are listed, whilst additional massing above would be set back to reduce the risk of over-dominance or competing focus. Its built form would complement the higher scale and massing of both streets (Castle Street and Queen Street)....'.</i></p>
9.17	<p>In terms of the smaller units adjacent to the site on Castle Street, the Conservation Officer notes that:</p> <p><i>'the existing building is already higher than both, as is Westgate House to the other side; therefore whilst the proposed scheme would increase this height differential further, it would not necessarily introduce a new impact. Neither of the buildings in question are considered to hold any heritage, architectural or historical value....'.</i></p>
9.18	<p>The architectural appearance of the proposed building is considered to be a significant improvement over Norwich Union House in terms of form, design and materials. It is considered that it would be in keeping with the local vernacular and surrounding buildings. To conclude it is considered that the proposal would provide a stronger contribution to the character and appearance conservation area than the existing circumstances, ensuring an overall enhancement the City Centre Conservation Area, particularly in relation to the existing gap site along Queen Street.</p>
9.19	<p>Scale, Massing and Design</p> <p>The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS and Policy PED9 of PPS4.</p>
9.20	<p>Policy CC12 of the BUAP applies. This seeks to ensure that new high buildings:</p> <ul style="list-style-type: none"> • do not mar or dominate the surrounding hills or the scale of attractive Belfast Views • relate sympathetically in design to the urban structure of the City • relates sympathetically to their immediate surroundings • relate sympathetically to buildings or groups of buildings of architectural and historic interest
9.21	<p>The site is located within the Old City Character Area as designated in the original version of the draft Belfast Metropolitan Area Plan (2004) and also within the latest version of draft BMAP (2014) (CC009). This sets out a number of urban design criteria for the area and criteria specific to the area. There is a general criterion that affects the site:</p>
9.22	<p><i>'That part of any development which fronts onto Donegall Place, Royal Avenue, Castle Street, Castle Place, or High Street shall be a minimum height of 5 storeys, or 17 metres to building shoulder height, and a maximum of 7 storeys with use of setback, articulated roof forms reinforcing traditional character.'</i></p>

9.23	<p>There are no site specific criteria which affect the proposal however there are three further criteria which apply throughout the Character Area:</p> <ul style="list-style-type: none"> • New development shall respect the established building line. Exceptions may only be permitted where development creates significant public open space. • Building heights shall be a minimum of 3 storeys and a maximum of 4 storeys, or 5 storeys with use of set-back, articulated roof forms reinforcing traditional character. Consistent cornice lines should be respected; • Development shall be fine grain in nature, and aim to reflect traditional plot widths. The façade of larger development proposals shall be broken up visually to reflect the scale of traditional units – subdivision of block into 4 to 2 buildings.
9.24	<p>The proposed building has a predominant ridge height of approximately 28m (21m to shoulder height on Castle Street and Queen Street) and is 7 storeys high. This meets the design criteria in terms of number of storeys. It is higher than the shoulder height specified by the policy, however, this is considered to be outweighed by the fact the building will enhance the character of this part of the city centre conservation area, will safeguard the setting of adjacent Listed Buildings and is similar in terms of scale to the existing Norwich Union House. This increase beyond the recommended shoulder height is not considered significant, particularly given the conclusions of HED and the Conservation Officer, with neither objecting to the application.</p>
9.24	<p>Moreover, the Urban Design Officer advises that:</p> <p><i>'It is considered that a building of increased height at the corner of Castle Street and Fountain Street would help place emphasis on this junction and provide visual interest, aiding in orientation and legibility. While it does rise above the height of neighbouring two storey building along Fountain Street, this relationship exists as present with the six storey Norwich Union House. The relationship with the adjacent three storey property along Castle Street will change, in that the shoulder height of the new replacement building will rise an additional 8.5m above this building (with the upper two setback floors rising a further 7.0m). However it is acknowledged that the townscape in this area is changing as witnessed at the corner of Castle Street at Queen Street (Westgate House) where a seven storey residential scheme was recently considered, which may place future development pressure on the two remaining lower scale buildings between (Nos. 42-48 Castle Street).'</i></p>
9.25	<p>In terms of the Queen Street façade, the shoulder height has been dropped by a storey in order to reflect the shoulder heights of the existing and proposed buildings at either side. An amendment acknowledged by the Urban Design Officer:</p> <p><i>'The five storey shoulder height, which in earlier iterations was a storey higher, now sits more comfortably with neighbouring buildings in relation to both to the six/seven storey Westgate House scheme to the north and the existing six storey Queens House to the south'.</i></p>
9.26	<p>In relation to detailing and materials the Urban Design Officer has provided the following comments:</p> <p><i>'.....key facades pick up contextually on the horizontal and vertical rhythms provided by façade details on surrounding buildings, most notably 1-9 Donegall Place (Zara - Anderson & McAuley building), the Bank Buildings, 18-22 Castle Street and the former RUC Barracks along Queen Street. These include the strong horizontal rhythm of mouldings/cornices along the upper portions of buildings, vertical rhythm of bays and a</i></p>

	<i>strong horizontal rhythm of mouldings above GF level. The predominant use of red brick throughout is considered contextually appropriate as are those subservient upper floors which by contrast are framed in off-white reconstituted stone’.</i>
9.27	In relation to the proposed materials, the Conservation Officer has noted that although the proposed composition and material palette is considered acceptable, given the site is within the conservation area and close to listed buildings, appropriate samples of materials and finishes should be secured through condition for agreement prior to any development on site, as per condition No. 12, Section 11.
9.28	The Council’s City’s Regeneration and Development team have commented on the wider permeability of the area: <i>‘The development proposal currently does not include the extension of Fountain Mews from Fountain Lane / Fountain Street through to Queen Street, as identified within the 2009 Westside Masterplan and 2018 Inner North West Masterplan’.</i>
9.29	Although the aspiration for such a link has been included within a number of masterplans relating to the wider area, including the Westside Masterplan (DfC, 2009) and the Inner North West Masterplan (BCC, 2018), there is no strong planning policy basis to require such a link and in terms of permeability there is considered to be sufficient east to west pedestrian linkages in the vicinity, with Castle Street to the north and Fountain Lane to the south. There would be no reasonable grounds to refuse permission on this issue. The Regeneration and Development Team have went on to say in their most recent response:
9.30	‘While this potential new link which would enhance east-west connectivity has not been realised, CRD recognises the wider regeneration benefits arising from redevelopment of the NUH building and development of the Queen Street surface car park’.
	Traffic and Parking
9.31	The application site falls within the Belfast Core Parking Restraint Area as set out in the BUAP and draft BMAP. The proposal has been assessed against Policies AMP7, 8 and 9 of PPS3. DFI Roads have offered no objections to the proposal subject to Condition Nos. 16-19, detailed in Section 11.
9.32	37 basement car parking spaces are proposed, accessed solely from Queen Street.
9.33	The Travel Plan, submitted in support of the application, points to the sites proximity to the Europa bus/train centre and Laganside bus centre. There are also Belfast Bike docking stations close to the site at Great Victoria Street, College Square East and Blackstaff Square.
9.34	The Travel Plan also states that a Travel Co-Ordinator will be employed to promote car sharing, encourage staff to review their business and work travel and introduce a ride home scheme. These measures will reduce the reliance on the private car. 150 cycle parking spaces will also be provided to encourage staff to cycle to work, with the employer participating in the Bike2Work Initiative. These measures, including the cycle parking, will be secured by condition (Condition Nos. 17 and 18, Section 11).
	Contamination
9.35	An Environmental Site Assessment and Generic Quantitative Risk Assessment (GQRA) has been provided in support of the application.
9.36	The GQRA is informed by site investigations and environmental monitoring data to

	<p>assess the potential risks from ground and groundwater contaminants to human health and environmental receptors for the development. No unacceptable risks have been identified to environmental receptors.</p>
9.37	<p>DAERA Regulation Unit Land and Groundwater Team have no objections to the development provided condition Nos. 11 and 12 are attached as detailed below in Section 11. In addition, there is no objection from Environmental Health.</p>
9.38	<p>Impact on amenity</p> <p>The proposal has also been assessed against paragraphs 4.12 and 4.13 of the SPSS in terms of potential impact on amenity of adjacent properties. The building is set within a busy city centre context, and there are no existing residential properties in close proximity to the site.</p>
9.39	<p><u>Noise, dust and vibration</u></p> <p>Given the built-up location of the development site, as well as the size and nature of development proposed (which includes demolition), Environmental Health recommends that a Construction Environmental Management Plan is required via condition (No. 6 Section 11) to agree measures to control noise, dust and vibration during the demolition / construction phase, demonstrating the use of 'best practicable means'. This will be submitted before commencement of any works on the site, including demolition.</p>
9.40	<p><u>Noise - office internal noise levels</u></p> <p>Supporting information advises that the office accommodation will be fitted with double glazing which should achieve a sound reduction performance of 30dB_{Rw} which will be sufficient to achieve a suitable internal noise level for open plan offices of 45-50dB_{L_{Aeq}} as recommended in British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'. Environmental Health do not object on noise grounds.</p>
9.41	<p><u>Air Quality</u></p> <p>In view of the lack of known detail at this stage regarding the proposed combustion processes for heating and hot water provision, Environmental Health has requested that full specifications for the proposed heating systems are submitted to and agreed by the Council prior to commencement of development. These details will be secured via condition as detailed in Condition No. 4 in Section 11 of the report.</p>
9.42	<p><u>Odour</u></p> <p>Environmental Health notes the final design and location of kitchen extraction discharge outlets or the proposed processes for heating and hot water provision has not been confirmed at this early stage. In view of the lack of detail available at this stage in relation to the eventual tenants of the ground floor, in relation to the type of foods to be cooked, Environmental Health recommends the details of proposed odour abatement systems are submitted for approval prior to their installation, as required under Condition Nos. 10 and 11, Section 11 below.</p>
9.43	<p>Impact on Protected Species</p> <p>Natural Environment Division (NED) has 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. NED is content that the buildings to be demolished are unlikely to support roosting bats or breeding swifts.</p>
9.44	<p>Flooding and Drainage</p> <p>A watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as the 'Farset River' is located in proximity to the</p>

	northern boundary of the site. The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.
9.45	There is no objection from DFI Rivers, they have however sought confirmation of stormwater discharge arrangements. This information was included in an updated Drainage Assessment. DFI Rivers were consulted and a response remains outstanding.
	Waste Management
9.46	Building Control has stated that the applicant has sufficient development opportunity to comply with the Building Regulations (NI) 2012.
	Pre-application Community Consultation
9.50	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.
9.51	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 Proposal of Application Notice (PAN) LA04/2019/0447/PAN was submitted to the Council on 25 th February 2019.
9.52	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.
9.53	A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:
9.54	The Public Consultation Event took place in the Linen Hall Library Library, 17 Donegall Sq. North on 11 th April 2019. This event was advertised in the News Letter, Irish News and Belfast Telegraph on 3 rd April 2019.
9.55	Information leaflets were issued to properties in the vicinity of the site on 4 th April 2019.
9.56	The PAN was circulated to a number of local Councillors and MLAs on 25 th February 2019. In addition it was circulated to Councillors and Aldermen in the adjacent Court DEA and MLAs and MPs for South and West Belfast.
9.57	Around 30 people took part in the public exhibition with 14 providing feedback. Approximately one third were supportive of the scheme with the remainder undecided. Support was particularly strong with regard to the ground floor retail units.
9.58	Specific comments included potential disruption on Castle Street during construction, impact on parking, potential for a pedestrian link between Fountain Lane and Queen Street and the need for the proposed uses. In response the planning agent has pointed to the long term regeneration of this part of the city centre, provision of parking spaces on site, employment opportunities, lack of active frontage/ safety issues with a pedestrian link and provision of accessible, high quality office space, in line with the ambitions of the Belfast Agenda.

9.59	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.
10.0	Summary of Recommendation:
10.1	Having regard to the Development Plan and relevant material considerations, it is considered that the proposal is acceptable.
10.2	It is recommended that planning permission and Conservation Area Consent are granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.
11.0	<p>Draft Conditions (transport conditions to be added following receipt of DFI's comments):</p> <ol style="list-style-type: none"> 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. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by the Council, Department for Communities. The POW shall provide for: <ul style="list-style-type: none"> The identification and evaluation of archaeological remains within the site; 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. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 2. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 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 2. 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. 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. Prior to commencement of the hereby permitted development, the applicant must submit an updated air quality impact assessment providing full specification details, including emission rates and flue termination heights, of the proposed combustion

systems for heating and hot water. The updated assessment must demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of human health.

6. Prior to commencement of development on site, including demolition, site clearance or site preparation, a Construction Environmental Management Plan (CEMP) shall be produced by the appointed contractor. The CEMP shall include measures to control noise, dust and vibration during the demolition / construction phase, demonstrating the use of 'best practicable means'. The CEMP shall include rationale for and details of the chosen piling methodology and demonstrate that noise and vibration levels will not have an adverse impact on nearby premises. The CEMP must incorporate the dust mitigation measures as detailed in Chapter 5 the AONA Air Quality Impact Assessment, dated March 2019. The CEMP must also have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites, Noise and Vibration and to the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014. The CEMP and associated records must be made available to the Environmental Protection Unit at any time upon request.

Reason: Protection against adverse construction impacts.

7. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the 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 shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

8. After completing the remediation works under Condition 7; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons 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.

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.

9. Prior to installation of proposed plant and equipment to serve the hereby permitted development, the applicant shall submit to the planning authority, for review and approval in writing, a noise assessment of the impact of proposed plant and

equipment, conducted in line with British Standard BS4142:2014 +A1:2019 'Methods for rating and assessing industrial and commercial sound'. The noise assessment shall demonstrate that the noise rating level of the combined operation of all plant will be at least 3dB below the existing background sound level (dBL_{A90}) for daytime and night time when determined in line with BS4142 at the nearest residential premises.

Plant and equipment at the hereby permitted development shall be installed as approved and retained thereafter.

Reason: Protection of residential amenity.

10. Prior to installation of any kitchen extraction and odour abatement system to serve the hereby permitted development, the applicant must submit to the Council, for approval in writing, full specification details of the extraction and odour abatement system including: the location and height of the discharge duct, the discharge velocity and details of all stages of grease, smoke and odour control. The submitted specification shall demonstrate that it has been selected in line with the risk based approach as presented in relevant industry guidance: 'Control of odour and Noise from Commercial Kitchen Exhaust Systems' produced by DEFRA and updated by EMAQ+ in 2018.

The approved kitchen extraction and odour abatement system must be installed prior to the operation of any proposed café or restaurant within the development. The approved system must be retained thereafter and be cleaned and maintained in accordance with manufacturer's instructions.

Reason: Protection of amenity against adverse odour impact.

11. Prior to commencement of the hereby permitted development, the applicant must submit an updated air quality impact assessment providing full specification details, including emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The updated assessment must demonstrate that there will be no significant adverse air quality impacts associated with operation of the proposed combustion plant and with the overall development.

Reason: Protection of human health.

12. No development shall commence until a detailed specification and samples of the external materials have been submitted to and approved in writing by the Council. The details shall include a sample panel of the proposed brick which will be retained on site for the duration of the construction. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area and setting of nearby Listed Buildings.

13. No development shall commence until details of external windows and doors 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.

Reason: In the interests of the character and appearance of the Conservation Area and setting of nearby Listed Buildings.

	<p>14. No development shall commence until details of rainwater goods including downpipes and gutters 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: In the interests of the character and appearance of the Conservation Area and setting of nearby Listed Buildings.</p> <p>15. The development hereby permitted shall not become operational until hard surfaced area have been constructed in accordance with the approved layout Drawing No. 04A 'Ground Floor Plan' bearing the Belfast City Council Planning Office date stamp 05 February 2020 to provide adequate facilities for parking, servicing and circulating within the site.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p> <p>16. The development hereby permitted shall not become operational until visibility splays of 4.0 m x 45.0 m have been provided. The area within the visibility splays shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</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> <p>17. 150 No. secure cycle parking spaces shall be provided and permanently retained within the ground floor of the building for use by staff and hotel residents and 4 No. cycle parking spaces shall be provided and be permanently retained close to each of the accesses of the proposed development for use by visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <p>18. The development hereby permitted shall operate in accordance with the approved Travel Plan published by Belfast City Council Planning Office on 14 February 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> <p>19. The development hereby permitted shall operate in accordance with the approved Service Management Plan published by Belfast City Council Planning Office on 14 February 2020.</p> <p>Reason: in the interests of road safety and the convenience of road users.</p> <p>Informatives:</p> <ol style="list-style-type: none"> 1. In the event that unexpected contamination is encountered during the approved development of this site, the development should cease and the applicant should contact the Planning Authority. Investigation of the contamination, risk assessment and, if necessary, remediation work, should be undertaken and verified in accordance with current best practice. 2. The applicant is further advised that 'Medium Combustion Plant' may require authorisation as a consequence of the transposition of the Medium Combustion
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	<p>Plant Directive into Northern Ireland legislation via the Pollution Prevention and Control (Industrial Emissions) (Amendment) Regulations (Northern Ireland) 2018. This Legislation is enforced by the Northern Ireland Environment Agency and Local Authorities. The relevant statutory body for this plant will contact the applicant with details of the authorisation process in due course.</p> <ol style="list-style-type: none"> 3. Notwithstanding the terms and conditions of the Belfast City Council 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 Infrastructure'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 DfI Roads Section Office whose address is Belfast North Section Office, 1a Airport Road, Belfast BT3 9DY (ph. 028 9025 4600), Email: TNI.BelfastNorth@infrastructure-ni.gov.uk, for advice or to arrange an appointment. A monetary deposit will be required to cover works on the public road. 4. 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. 5. All construction plant and materials shall be stored off the adopted road. 6. 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. 7. Pedestrian Crossing Points across the proposed entrances are to be provided in accordance with the DTER/Scottish Office publication 'Guidance on the use of Tactile Paving'.
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ANNEX	
Date Valid	18th September 2019
Date First Advertised	11th October 2019
Date Last Advertised	14th February 2020
Details of Neighbour Notification (all addresses) 10 – 19 Queen Street,Belfast,Antrim,BT1 6ED 15 - 29 Fountain Street,Belfast,Antrim,BT1 5EA 1st Floor, 42 Castle Street,Belfast,Antrim,BT1 1HB 1st Floor, 44 Castle Street,Belfast,Antrim,BT1 1HB 1st Floor, 55a Castle Street,Belfast,Antrim,BT1 1GH 1st Floor, West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED 2a Queen Street,Belfast,Antrim,BT1 6ED 2nd Floor, 44 Castle Street,Belfast,Antrim,BT1 1HB 2nd Floor, 55a ,Castle Street,Belfast,Antrim,BT1 1GH 2nd Floor, 7 Queen Street,Belfast,Antrim,BT1 6EA 2nd Floor, West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED 3rd Floor, 5-7 Queen Street,Belfast,Antrim,BT1 6ED 3rd Floor,West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED 4 Queen Street,Belfast,Antrim,BT1 6ED 51 Castle Street,Belfast,Antrim,BT1 1GH 55 Castle Street,Belfast,Antrim,BT1 1GH 6 Castle Street,Belfast,Antrim,BT1 1HB 6 Fountain Street, Belfast,Antrim,BT1 5ED 7 Fountain Lane, Belfast,Antrim,BT1 5FB 71 Castle Street,Belfast,Antrim,BT1 1GH 9 Queen Street,Belfast,Antrim,BT1 6EA 9-11 Fountain Street,Belfast,Antrim,BT1 5EA City Life, 44 Castle Street,Belfast,Antrim,BT1 1HB Concentrix House, 23 Fountain Street,Belfast,Antrim,BT1 5EP Executive Barbers, 44 Castle Street,Belfast,Antrim,BT1 1HB Floor 1, Concentrix House, 23 Fountain Street,Belfast,Antrim,BT1 5ES Floor 4, Concentrix House,23 Fountain Street,Belfast,Antrim,BT1 5EP Fountain News And Sandwich, Fountain Street,Belfast,Antrim,BT1 5EP Gordons Chemits, 57 Castle Street,Belfast,Antrim,BT1 1GH Greenhouse Cafe, Ground Floor, 9-15 Queen Street,Belfast,Antrim,BT1 6EA Harte Coyle Collins Solicitors Office, 9-15 Queen Street,Belfast,Antrim,BT1 6EA KRW Law Advocates Ltd, 9-15 Queen Street,Belfast,Antrim,BT1 6EA MSM Law Solicitors Office, 9-15 Queen Street,Belfast,Antrim,BT1 6EA Morgan And Murphy Solicitors Office, 9-15 Queen Street,Belfast,Antrim,BT1 6EA Office 1 1st Floor, Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED Pic And Mix Body Jewellery, 17 Fountain Street,Belfast,Antrim,BT1 5EP Sally Salon Supplies, Queens House,14 Queen Street,Belfast,Antrim, Tattoo Studio, 44 Castle Street,Belfast,Antrim,BT1 1HB The Beringer, Fountain Street,Belfast,Antrim,BT1 5EP The Faith Mission Bookshop, 5-7 Queen Street,Belfast,Antrim,BT1 6EA	

The Fountain Bar And Restaurant, Fountain Street,Belfast,Antrim,BT1 5EP The Pieces Project, 5-7 Queen Street,Belfast,Antrim,BT1 6EA The Spinning Wheel, 21 Fountain Street, Belfast,Antrim,BT1 5EA Utility Regulator, 1st Floor,Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED Utility Regulator, 2nd-5th Floor, Queens House, 14 Queen Street,Belfast,Antrim, Voodoo, 11a Fountain Street,Belfast,Antrim,BT1 5EP West Gate House,4 Queen Street,Belfast,Antrim,BT1 6ED White Dragon Tattoo, Fountain Street,Belfast,Antrim,BT1 5EP	
Date of Last Neighbour Notification	7th February 2020
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers and Title (to be added) BO2c, B03A-B08A, B10A – Site location plan, block plan, floor plans, elevations and sections	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

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Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/0517/F	
Proposal: Residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage. (amended plans)	Location: El Divino Nightclub and car park and adjacent open space Mays Meadow Belfast BT1 3PH.
Referral Route: Major Application	
Recommendation:	APPROVAL
Applicant Name and Address: Benmore Property Management Services C/O Rushmere House 46 Cadogan Park Belfast BT9 6HH	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: <p>This application was to be considered by the Planning Committee in September 2019 with a recommendation to refuse planning permission. However, the application was withdrawn from the agenda to give the applicant opportunity to address the recommended refusal reasons. Officers have since had a number of meetings with the applicant to discuss the concerns, leading to the submission of a revised scheme. The application has been re-advertised in the press and neighbours notified of the revised scheme. The consultation period for comments concludes on 13th March 2020. The recommendation in this report is therefore subject to any new and substantive planning issues being raised during the remainder of the consultation period being resolved, where appropriate, by the Director of Planning and Building Control.</p> <p>The proposal has been revised from the original submission and seeks to construct a residential building of varying heights including 7 storey (23m), to 10 storey (31.4m), 2 storey (37.4m) and 18 storey (54.6m) elements. The proposed building comprises 154 units with ground floor retail unit on a narrow 0.247 hectare triangular site, with the building footprint occupying around 50% of the site. The site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the River Lagan. It currently comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. The building is approximately 10.5m – 12m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing office building opposite the site.</p>	

The principle of a retail unit and residential use here is acceptable given its City Centre location and proximity to residential uses adjacent and opposite the site. There would also be an element of environmental gain in terms of amenity of existing residents if this site was redeveloped for residential purposes and the existing licenced premises / nightclub was removed.

It is considered that the revised scale, height, massing and materials of the building are, on balance, acceptable and appropriate to the site context and the area. The height of the building has been reduced next to the existing apartments at St Johns Warf to 7 storeys – slightly higher than the adjacent building. This has reduced the dominance in relation to this building and a staggered/stepped design approach assists in mitigating the impacts to the Laganbank Road streetscape, taking account of the design and massing of existing commercial buildings adjacent to the site. The design has a tower element, which is considered acceptable when assessed from the key public viewpoints due to the surrounding built context/building heights and taking account of an extant permission to increase the height of the adjacent “Price Waterhouse Cooper” office building (ref: LA04/2018/1469/F). The internal floorplan layout has been revised to provide additional active uses along the Laganbank Road elevation in particular which will assist in animation of this elevation. The proposed materials are consistent with the area insofar as brick and glass are present. The fenestration has been revised and the resulting solid to void ratios assist in reducing the massing of the building.

The location of the tower element would have a limited impact on exiting residents due to the separation distances to St John Warf (approximately 52m at the closest point). The proposal would not therefore detrimentally impact on amenity in terms of overshadowing or overlooking/privacy.

Total communal amenity space provision equates to 770sqm or 5 sqm per apartment. The amount of provision is considered acceptable, on balance, given the circumstances of the site with the open space area adjacent to the building and the improvements proposed to it, and location on the riverbank with riverside access. Landscaping is also proposed, however additional details need to be provided to ensure acceptable details including future management arrangements. This can be secured by means of a Section 76 planning agreement.

Environmental Health has no objections to the proposal in terms of public health matters including contamination, noise, and disturbance, subject to conditions. However, they are considering addition information provided by the applicant in relation to air quality and accordingly delegated authority is requested for the Director of Planning and Building Control to resolve this issue.

All other consultees including DFI Roads, the Urban Design Officer, DEARA, HED, SES, NI Water, HED, and Belfast City Airport have no objections to the proposal.

9 representations comprising 7 objections and 2 letters of support were received in relation to the application.

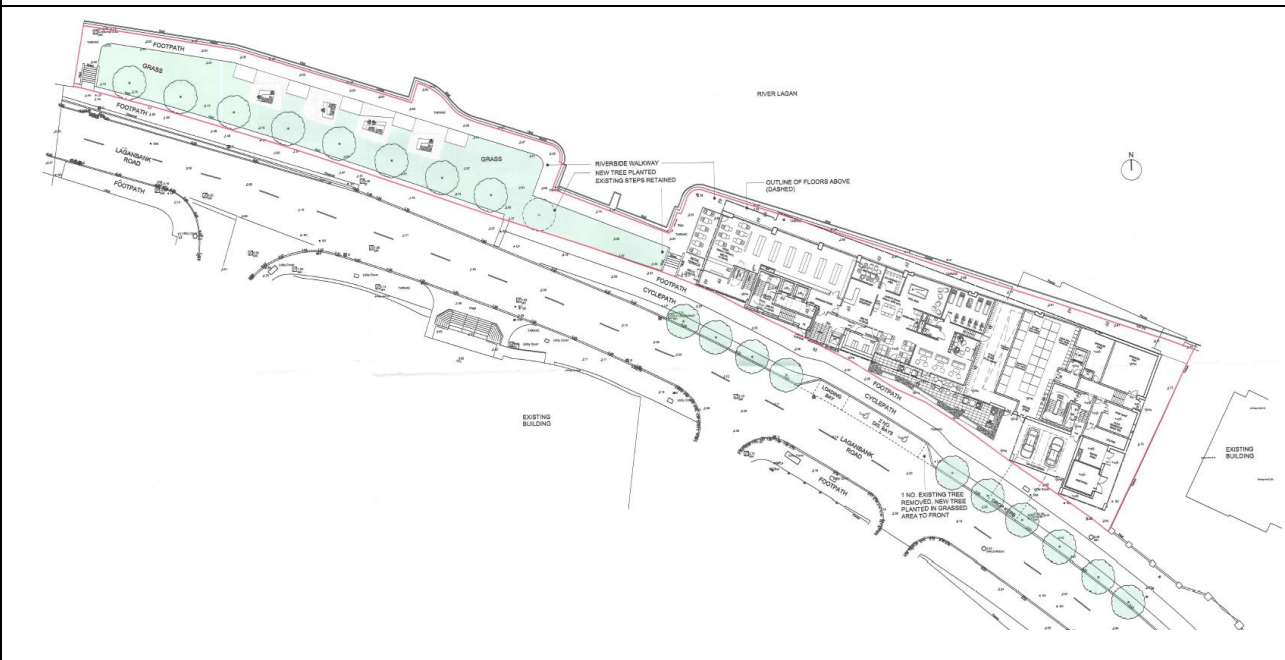
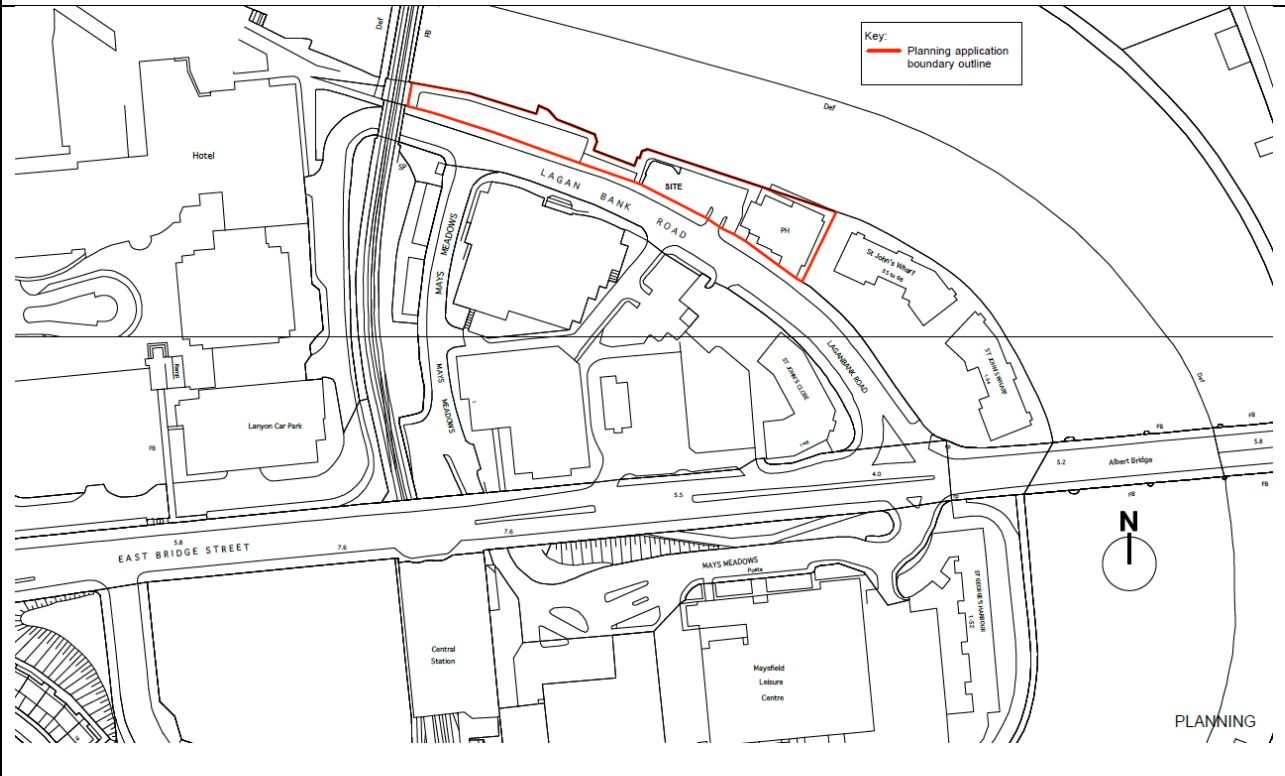
Having regard to the Development Plan and relevant material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and satisfactorily resolve outstanding issues, including:

- The outstanding consultation from Environmental Health in relation to air quality;
- The completion of a Section 76 planning agreement to secure contribution including green transport measures (i.e. travel plan, travel cards and car club); the provision and future maintenance of the public open space and external amenity space within the site;
- Any new and substantive planning issues raised during the remainder of the consultation period (ending on 13th March 2020)

Signature(s):

Case Officer Report

Site Location Plan











Representations:

Letters of Support	2
Letters of Objection	9
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Representatives	None received

Neighbour Notification Checked **Yes**

Planning Assessment of Policy and Other Material Considerations

1.0 Characteristics of the Site and Area

The application site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the river Lagan. It comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. It is approximately 0.25 hectares in size (building and nightclub c. 0.15 hectares and c 0.09 hectares open space area) Boundary treatments comprise a mixture of wall and railings approximately 2-3m in height. The topography of the entire site is relatively level, however the topography of Laganbank Road falls to the west, therefore the open space area sits at a higher level than Laganbank Road.

There is a block of apartments to the southeast of the site, with an office building to the south. There is a sheltered housing scheme further to the south at the junction of Laganbank Road and East Bridge Street.

2.0 Proposal

This application was to be considered by the Planning Committee in September 2019 with a recommendation to refuse planning permission. However, the application was withdrawn from the agenda to give the applicant opportunity to address the recommended refusal reasons. Officers have since had a number of meetings with the applicant to discuss the concerns, leading to the submission of a revised scheme. The application has been re-advertised in the press and neighbours notified of the revised scheme. The consultation period for comments concludes on 13th March 2020. The recommendation in this report is therefore subject to any new and substantive planning issues being raised during the remainder of the consultation period being resolved, where appropriate, by the Director of Planning and Building Control.

The application seeks full planning permission for residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage.

The proposal has been revised from the original submission and seeks to construct a residential building of varying heights including 7 storey (23m), to 10 storey (31.4m), 2 storey (37.4m) and 18 storey (54.6m) elements. The proposed building comprises 154 units with ground floor retail unit on a narrow 0.247 hectare triangular site, with the building footprint occupying around 50% of the site. The site is located at Laganbank Road off East Bridge Street within Belfast City Centre and is immediately adjacent to the River Lagan. It currently comprises a public house and nightclub building, its associated car park and an adjacent area of public open space. The building is approximately 10.5m – 12m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing office building opposite the site.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

No relevant history.

4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001 (BUAP), draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004), draft Belfast Metropolitan Area Plan 2014 (dBMAP 2014), and Developer Contribution Framework (2020);

4.2 Strategic Planning Policy Statement (SPPS);

4.3 Planning Policy Statement 2 (PPS2) – Planning and Nature Conservation;

4.3 Planning Policy Statement 3 (PPS3) – Access, Movement and Parking;

4.4 Planning Policy Statement 13 (PPS13) – Transportation and Land Use;

4.5 Planning Policy Statement 7 (PPS7) – Residential Development;

4.6 Planning Policy Statement 12 (PPS12) – Housing in Settlements;

4.7 Planning Policy Statement 15 (PPS15) – Planning and Flood Risk;

4.8 Planning Policy Statement 8 (PPS8) – Open Space and Recreation.

4.9 Supplementary Planning Guidance including ‘Creating Places’, Development Control Advice Note 8 Housing in Existing Urban Areas, and Parking Standards.

5.0 Statutory Consultee Responses

5.1 NI Water - No objection;

<p>5.2 DARD - Rivers Agency – No objection;</p> <p>5.3 DEARA:</p> <ul style="list-style-type: none"> – Marine and Fisheries Division - No objection subject to conditions; - Land & Groundwater Team (Contamination) - No objection subject to conditions; - Water Management Unit - No objection subject to conditions; - Natural Environment Division – Considering additional information received; <p>5.4 DFI Roads – No objection subject to conditions;</p> <p>5.5 DFC HED – No objection subject to conditions.</p> <p>6.0 Non - Statutory Consultee Responses</p> <p>6.1 BCC Environmental Health - No objection subject to conditions in relation to noise and contamination. Response outstanding – considering further information required in relation to Air Quality;</p> <p>6.2 Shared Environmental Services – No objection subject to conditions;</p> <p>6.3 Urban Design Officer – no objections;</p>	
7.0	<p>Representations</p> <p>The application has been neighbour notified and advertised in the local press. 9 representations have been received, comprising 2 letters of support and 7 objections. These representations are set out in more detail later in the report.</p> <p>No representations from any elected representatives have been received.</p>
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	<p>Permission is sought for a residential development comprising 154 units and ground floor retail unit, including reception and management suite area, internal and external communal space, open space and environmental improvements, car parking with access of Mays Meadow, bin storage, cycle parking, plant equipment and storage. The key issues in the assessment of the proposal are:</p> <ul style="list-style-type: none"> - The principle of the proposal at this location; - Layout, scale, form, massing and design; - Impact on amenity; - Impact on transport and associated infrastructure; - Flooding and drainage impacts; - Impact on natural heritage assets; - Contamination and remediation of the site; - Impact on civil aviation; <p>Regional Policy Context:</p>
9.2	The Regional Development Strategy 2035 (RDS) includes a number of policies relevant to the proposal supporting Urban Renaissance (RG7), and Conserve, protect and enhance where possible the built and natural heritage.
9.3	In relation to Belfast, the RDS includes policies to promote economic development, grow the city population, and protect and enhance the setting of the Metropolitan Area and its environmental assets. Policy SFG3 seeks to enhance the role of Belfast City Centre as

	the regional capital and focus of administration, commerce, specialised services and cultural amenities.
9.4	The Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
9.5	<p>The SPPS states at paragraph 1.13 that a number of policy statements, including those listed at paragraph 4 of this report, remain relevant under the 'transitional arrangements' in advance of a council's adoption of its new Local Development Plan. 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 paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported.</p> <p>Development Plan Status:</p>
9.6	<p>Following the Court of Appeal decision that quashed the adoption of the Belfast Metropolitan Area Plan 2015, the extant Development Plan is now the Belfast Urban Area Plan 2001 (BUAP). The site is not subject to any zoning within the BUAP. Both the draft Belfast Metropolitan Area Plan 2004 (dBMAP 2004) and the version purported as adopted Belfast Metropolitan Area Plan (dBMAP 2015) are material considerations. The weight to be afforded the draft Belfast Metropolitan Area Plan is a matter of judgement for the decision maker. In dBMAP 2004 and dBMAP 2015, the site falls within the City Centre boundary, the fringe area of parking restraint, and the Laganside Character Area.</p> <p>Principle of development and proposed uses:</p>
9.7	The SPPS requires a sequential test to be applied to 'town centre uses' including retail shops, directing them to the city centre in the first instance, then edge of city centre and lastly out of centre. In the BUAP, the site is located within the City Centre. The site is located within the City Centre boundary in the BUAP and both versions of BMAP where residential development is acceptable in principle. The proposal would support the aims of the <i>Belfast Agenda</i> around city centre living. Laganbank Road comprises a mix of residential and non-residential uses. Residential uses are located immediately adjacent to the site. The site is not located within the retail core, but within the city centre boundary. A retail unit is considered acceptable in this location due to the limited provision in close proximity to the site. These factors establish that the proposed uses are acceptable in principle.
9.8	<p>In relation to the demolition of the existing building and structures, the site is not located in a Conservation Area or Area of Townscape Character, and the buildings are not listed or of any historic interest. Accordingly the demolition of the existing structures does not require planning permission and is acceptable in principle.</p> <p>Planning History</p>
9.9	The application site is not subject to any planning history relevant to this case. However the proposals were subject to a Pre-Application Discussion process. This comprised a number of meetings with the applicant and agent, the focus of which was largely in relation to scale, height, and massing, design, and amenity issues of the proposed scheme. The Council provided feedback to the applicant at the Pre Application Discussion stage, expressing concerns in relation to these issues.

	<p>PPS7 – Design, Character and Appearance of Area and amenity</p>
9.10	<p>The proposal has been assessed against Policy QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. PPS7 addendum safeguarding character is also a material consideration and includes three policies, namely LC1-3.</p> <p>Proposal</p>
9.11	<p>The proposal seeks to construct a 9 to 18 storey residential building with ground floor retail unit on a narrow 0.247 hectare triangular site along Laganbank Road, with the building footprint occupying around 50% of the site. The longer southern and northern frontages of the site face onto Laganbank Road and the River Lagan respectively, while the southern edge sits immediately adjacent to St John's Wharf an existing residential apartment complex. To the north the narrowest section of the triangular site abuts the railway bridge over the River Lagan.</p> <p>Layout</p>
9.12	<p>The proposed layout of the building is roughly 'L' shaped and broadly replicates the siting and layout of the existing building on site in terms of setback/relationship with the river and Laganbank Road, however the building will extend across approximately half of the application site. The building incorporates a uniform building line along its northern elevation, being setback around 2.6m from the river's edge. This would enable extended public access along the river when compared to the existing nightclub arrangement, which is welcomed. Nevertheless it is disappointing to see that the extension of public access along the riverfront has not been adequately carried through and reflected in the articulation of the building at GF level. The cantilevered nature of the building line above GF which for a long stretch extends over the river walkway thereby creating an enclosed tunnel-like effect which is a questionable design approach. Along Laganbank Road the building incorporates a series of steps in its form to deal with the slight curvature of the street. Key challenges are presented here concerning the level change between the finished ground floor level of the building proper and the street (1.85m difference). These issues are considered further below.</p>
9.13	<p>The ground floor comprises a retail unit (approximately 159 sqm internally in size), entrance and amenity space area, cycle parking, bin store, and various plant rooms. The upper floors (1-18) comprise apartments, with an external amenity area on the 10th floor (c. 469sqm).</p>
9.14	<p>The building is approximately 10.5m from the adjacent apartment buildings at St John Wharf at the closest point, and approximately 23m from the sheltered housing scheme (St Johns Close) to the south opposite the site. The building is approximately 18m at closest point from the existing Price Waterhouse office building also opposite the site.</p> <p>Scale, height, massing, and materials</p>

9.15	PPS7 QD1 criterion (a) requires proposals to “ <i>respect the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.</i> ” Policy CC12 in the BUAP relates to high buildings and requires buildings to be sympathetic to their immediate surroundings.
9.16	<p>It is acknowledged that there were a number of taller buildings within the vicinity. These include;</p> <ul style="list-style-type: none"> - Price Waterhouse Cooper HQ (PWC) to the south of the site. It is noted that planning permission was also recently approved for additional storeys being added to this building; - The BT Tower and Hilton Hotel to the west of the site on the other side of the railway bridge; - The site also sits across the river from the former Sirocco Engineering Works site on which approval was recently granted for outline planning permission for a masterplan which included a number of taller buildings.
9.17	However, these buildings are for the most part located to the west of the site on the city centre side of the railway bridge in an area which is predominantly commercial/office in nature. While the PWC building was due south of the site on the eastern side of the railway bridge, officers noted it was located some distance from existing residential developments in the area. It is critical that any development of the site respects the adjacent residential buildings and scale of development within this section of Laganbank Road.
9.18	It is considered that the revised scale, height, massing and materials of the building are, on balance, acceptable and appropriate to the site context and the area. The height of the building has been reduced next to the existing apartments at St Johns Warf to 7 storeys – slightly higher than the adjacent building. This has reduced the dominance in relation to this building and a staggered/stepped design approach assists in mitigating the impacts to the Laganbank Road streetscape, taking account of the design and massing of existing commercial buildings adjacent to the site. The design has a tower element, which is considered acceptable when assessed from the key public viewpoints due to the surrounding built context/building heights and taking account of an extant permission to increase the height of the adjacent “Price Waterhouse Cooper” office building (ref: LA04/2018/1469/F).
9.19	The design also addresses existing level changes within the building albeit in a stepped approach. The internal floorplan layout has been revised to provide additional active uses along the Laganbank Road elevation in particular, which will assist in animation of this elevation. On balance the design solution is considered acceptable.
9.20	The proposed materials are consistent with the area insofar as brick and glass are present. The fenestration has been revised and the resulting solid to void ratio assists in reducing the massing of the building. Whilst additional glazing areas would further assist and improve the elevations, the proposal is considered, on balance, acceptable. A condition is necessary to agree the finer details of the materials proposed to ensure an appropriate solution is provided.
9.21	The Urban Design Officer considers the scale, massing, and design of the proposal to be acceptable. The proposed designs are therefore compliant with criteria [g] of PPS7. Accordingly, it is considered that the proposal would not adversely affect the character of the area.

	Impact on Amenity
9.22	Criteria (h) of QD1 PPS7 requires the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties. Paragraph 4.38 highlights the importance of privacy and daylight for residents, whilst 7.11 of Creating Places also highlights the importance of 'attractive outlook' onto existing and proposed roads.
9.23	The floorplan layout is broadly split longitudinally, with the majority of the apartment's main aspect towards either the river or Laganbank Road. The layout includes apartments within the middle section of the eastern section of the building, adjacent to the boundary with the neighbouring apartment building. The internal layout places the living area at the Laganbank Road end of the apartment, with the associated window positioned at this end of the apartment. Whilst outlook to the public street would not be provided, views would be available over the car park of the adjacent apartment building and distance views to East Bridge Street. Floors 5 and above would benefit from additional views/aspect as the front section of the adjacent St Johns Warf section is 4 storeys in height. On balance the outlook proposed is considered acceptable.
9.24	In relation to overlooking and loss of privacy, the majority of apartments would not impact on privacy due to their location and separation distances to existing buildings. However, the apartments on the eastern gable of the building include gable window openings. The adjacent St Johns Wharf building also include gable windows, however these, as with the proposal, are predominately secondary with the main windows for outlook located on either the Riverfront or Laganbank road elevations, and are sufficiently 'staggered' to ensure no direct overlooking or loss of privacy will result.
9.25	In terms of loss of light/overshadowing, the building steps up in height in relation to the neighbouring apartment building St Johns Wharf, which is sited due east of the application site. Accordingly the building would reduce the daylighting in the evening as the sun occupies a westerly position. Notwithstanding the height and proximity of the building, it would not unacceptably overshadow the existing adjacent apartments building as it would benefit from sunlight for the majority of the day.
9.26	The location of the tower element would have a limited impact on exiting residents due to the separation distances to St John Warf (approximately 52m at the closest point). The proposal would not detrimentally impact on amenity in terms of overshadowing or overlooking/privacy.
9.27	The proposal would not adversely impact on the amenity of commercial premises due to separation distances and layout/aspect of these properties.
9.28	The apartments comprise a mix of 1bed and 2 bed units and range in size from approximately 43sqm to 65sqm. The size of these apartments would fall slightly below space standards set out in the Addendum to PPS7 (1P1B 35/40sqm, 2P1B 50/55sqm, 3P2B 60/65sqm, 4P2B 70/75sqm), however, Members should note that these standards only apply to "established residential areas" of medium to low density.
9.29	In relation to amenity space provision, Policy QD1 [c] PPS7 and Policy OS2 of PPS8 require the level of provision of private space to be appropriate to the surrounding context, be useable, with further guidance on amenity space provided in Creating Places. PPS 7 indicates that, where appropriate management arrangements are in place, private open space to serve apartment developments may be in the form of communal gardens. Guidance set out in Creating Places specifies that private communal open space will be acceptable in the form of landscaped areas, courtyards or roof gardens. Creating Places

	quantifies the level of communal private open space that should be incorporated in new flat developments with a required provision in the range of 10 sqm to 30 sqm per apartment (paragraph 5.20). This paragraph goes on to state that inner urban/high density locations will tend towards the lower figure.
9.30	<p>Communal amenity space arrangements have been increased to include an external amenity area at the front of the building of approximately 56.6 sqm in size (excluding the planted area). The communal amenity area at the 10th floor has also been increased to 469sqm (including internal hire area of 107sqm approx.) (previous total c. 266 sqm). There is also an internal area at ground floor (c. 244sqm). The total communal amenity space provision equates to 770sqm or 5 sqm per apartment. The amount of provision is considered acceptable, on balance, given the circumstances of the site with the open space area adjacent to the building and the improvements proposed to it, and location on the riverbank with riverside access. Landscaping is also proposed, however additional details need to be provided to ensure acceptable details including management arrangements are secured. These arrangements can be secured by a Section 76 planning agreement.</p> <p>PPS15 – Flooding and drainage</p>
9.31	Rivers Agency and NI Water have been consulted on the application, and assessed the submitted flood risk assessment.
9.32	The intensification of use of the site as discussed under FLD1 is considered acceptable in principle, subject to adequate flood management arrangement being proposed and taking account of wider policy aims of regeneration and increased residential uses within the city centre. The Flood Risk Assessment by Albert Fry Associates dated May 2018 has included mitigation and taken into account DfI Rivers recent updated Technical Flood Risk Guidance in relation to Allowances for Climate Change in Northern Ireland on 25th February 2019. The habitable locations and plant rooms (containing essential infrastructure) including amenity spaces are to have finished floor levels (4.15m.O.D.). They are designed to have greater than the 600mm freeboard above the future currently revised Q200 climate change level (3.43 m.O.D.) and have been raised to a sufficient level to avoid being affected by flood risk.
9.33	<p>Neither consultee has any objections to the proposal. Therefore, it is considered that the proposal will not result in or be impacted unacceptably by flooding. It is considered that the proposal is compliant with PPS15 requirements.</p> <p>PPS3 - Traffic, Parking and associated Roads considerations</p>
9.34	<p>Relevant policy requirements include criteria (f) of QD1 PPS7 and PPS3. Roads have considered the revised information submitted in February 2020, including parking and access arrangements and green travel measures including car club provision (2 vehicles) and travel cards for a period of 3 years. They have no objection to the proposal subject to a number of conditions, including green travel measures. These would require to be secured through a Planning Agreement under Section 76 of the Planning Act.</p> <p>Impact on civil aviation:</p>
9.35	Consultation has been undertaken with the City Airport, who have assessed the proposals in terms of air safety. The site falls within the Belfast City Airport (BCA) Obstacle Limitation Surface (OLS), namely the Inner Horizontal Surface (IHS). The maximum height of a building within this surface, at this location, which would NOT infringe the OLS would be 48.7m AMSL. At 51.9m AGL the proposed building will therefore infringe the

	<p>Inner Horizontal Surface by 2.2m. However, given the close proximity to existing high buildings nearby, and recent assessment of other proposed building in the vicinity, Belfast City Airport have no objection to this development provided we are notified of any cranes to be used The proposal would not therefore compromise air safety.</p> <p>Impact on Protected Habitats etc.</p>
9.36	<p>DEARA Coastal Development, Natural Environment Division and Water Management Unit have no objections to the application and have recommended conditions.</p> <p>Shared Environmental Services have assessed the details of the application in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration and location of the project it is concluded that, provided the following mitigation is conditioned in any planning approval, the proposal will not have an adverse effect on site integrity of any European site.</p> <p>Other Consultee Responses</p>
9.37	<p>Environmental Health has no objections to the proposal in terms of public health matters including contamination, noise, and disturbance, subject to conditions. However, they are considering addition information in relation to air quality and accordingly delegated authority to the Director of Planning and Building Control is requested to resolve this issue.</p>
9.38	<p>DEARA Waste Management has no objections regarding land contamination issues. DEARA Drainage and Water have no objections subject to NIW confirmation of adequate capacity of Waste Water Treatment. NIW have confirmed sufficient capacity.</p>
9.39	<p>Historic Environment Division have no objections in relation to impact on archaeological or listed building assets subject to conditions. Accordingly the proposal is considered acceptable in relation to PPS6 considerations.</p>
9.40	<p>NI Housing Executive was consulted to advise in terms of the need (if any) of the proposal to provide social and affordable housing. They have indicated that NIHE would wish to see 20% of residential development on this site committed to social and affordable housing, accessible dwellings and wheelchair housing units. However, the proposal is for private residential only (no social / affordable). There is no current policy requirement for the developer to provide social housing and it would be unreasonable to require the applicant to provide it at this time.</p> <p>Pre-Community Consultation</p>
9.41	<p>For applications that fall within the category of Major development as prescribed in the Development Management Regulations, Section 27 of the Planning Act (Northern Ireland) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>
9.42	<p>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 (LA04/2017/2771/PAN) was submitted to the Council on 8th December 2017.</p>

9.43	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.
9.44	It is considered that the Pre-application Community Consultation Report submitted with the application has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.
	Representations
9.45	7 objections have been received raising the following issues (summarised): <ul style="list-style-type: none"> - Greater scale than existing buildings/ inappropriate height; - Inappropriate/out of character design and would impact on area; - Impact of traffic/associated congestion; - Questionable if any demand for proposal;
9.46	2 Comments supporting the proposal include: <ul style="list-style-type: none"> - Removal of the nightclub would benefit the residential area; - Space for a local shop welcomed;
9.47	Following the above assessment, it is considered that the proposal complies with policy in terms of scale, massing and design. Roads Service have not raised any concerns regarding traffic impacts of the proposal to date, rather queries relate to technical issues. Accordingly, it is not considered that the development will adversely impact on traffic in the locality. It is not a policy requirement in this case for the developer to demonstrate demand or need for the proposal. Accordingly the planning authority is unable to withhold permission on this basis.
10.0	Summary of Recommendation <p>Having regard to the Development Plan and relevant material considerations, the proposal is considered, on balance, acceptable. It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and satisfactorily resolve outstanding issues, including:</p> <ul style="list-style-type: none"> • The outstanding consultation from Environmental Health in relation to air quality; • The completion of a Section 76 planning agreement to secure green transport measures (i.e. travel plan, travel cards and car club; the provision and future maintenance of the public open space and external amenity space within the site; • Any new and substantive planning issues raised during the remainder of the consultation period (ending on 13th March 2020).
Draft Conditions	
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>	

2. No development shall take place until samples of all external finishes has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample details.

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

3. All services (including those for water supply, drainage, heating, and gas supplies) shall be laid underground or housed internally within the building hereby approved.

Reason: In the interests of visual amenity.

4. All windows to be finished in obscure glass shall be installed before the occupation of the building hereby permitted as indicated on the approved plans, shall be permanently retained, and in the event of breakage shall be replaced with obscure glass to the satisfaction of the Belfast City Council Local Planning Authority.

Reason: In the interests of amenity.

5. No development shall take place until full details of all public realm improvements have been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before any part of the development hereby permitted becomes operations.

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

6. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the 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 and verified to its satisfaction.

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

7. After completing the remediation works under Condition 6 and prior to occupation of the development, a Verification Report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

The Verification Report shall 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. The Verification Report must fully verify works to address contamination, including waste assessment and classification (in line with Technical Guidance WM3), waste transfer notes and/or hazardous waste consignment notes and verification of appropriate waste disposal (in line with Waste Duty of Care).

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

8. No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

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

9. Prior to the fit-out of the gym, full details of the proposed sound mitigation measures to ensure the residential units are not adversely impacted by structure borne or airborne noise shall be submitted to Belfast Planning Authority for review and approval in writing.

- Prior to the operation of the gym the approved sound insulation measures shall be installed and retained thereafter.
- No amplified music shall be permitted in the gym.
- No group classes are permitted the gym.
- The residential units of the hereby permitted development shall not be occupied unless a Noise Verification Report (VR) is submitted for review and approval in writing by Belfast Planning Authority. The VR shall demonstrate that the noise mitigation measures and alternative means of ventilation have been implemented as outlined in the Irwin Carr Consulting Noise Impact Assessment, Laganbank Apartments, Belfast, report no. Rp001 2018073 (El Divino), dated 13th June 2018 and as summarised in appendix B 'Acoustic Design Statement' so as to ensure suitable internal noise targets in line with current recognised standards and guidance are not exceeded.
- Service deliveries and collections to the retail units shall not take place between 11pm and 7am.
- The combined sound rating level from all external plant and equipment and from internal plant rooms of the hereby permitted development shall not exceed the background sound level (LA90 daytime and night time) when determined at the façade of the nearest residential premises with all measurements/calculations carried out in line with BS4142:2014.

Reason: Protection of health and residential amenity

10. Prior to the commencement of the demolition and construction of the hereby permitted development, a Construction Noise vibration and dust Management Plan shall be submitted for review and to be approved in writing by Belfast Planning Authority. It must outline the methods to be employed to minimise any noise vibration and dust impact of demolition/construction operations demonstrating 'best practicable means'. The plan should pay due regard to current guidance and British standards. Construction works must be carried out in line with the approved plan.

Reason: Protection of Residential and office Amenity

11. No development including site clearance works, lopping, topping or felling of trees, shall take place until a landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, has been submitted to and approved by the Department. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with the Department in writing prior to implementation.

Reason: To ensure the provision of amenity afforded by an appropriate landscape.

12. All hard and soft landscape works shall be completed in accordance with the approved drawings, the appropriate British Standard, the relevant sections of the National Building

Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to occupation of any dwelling / part of the development hereby approved.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Local Planning Authority gives its written consent to any request for variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

14. No dwelling hereby permitted shall be occupied until all drainage mitigation measures as set out in the submitted Drainage Assessment have been constructed and installed in accordance with these details. A report verifying these measure have been installed shall be submitted to the satisfaction of the Local Planning Authority. The mitigation measures shall be permanently retained thereafter and not removed without the prior consent of the Local Planning Authority.

Reason: to ensure adequate flood mitigation measures are provided for the site and to protect residential amenity.

15. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities.

The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- 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.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

16. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition 15.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

17. 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 15. These measures shall be implemented and a final archaeological report shall be submitted to Belfast

City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

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.

18. A final Construction Environmental Management Plan (CEMP) must be submitted for approval by Belfast City Council Planning by the appointed contractor before construction begins on site. The CEMP must include all the proposed environmental mitigation as detailed in the Outline CEMP dated June 2019. It must also include the other mitigation detailed in the Preliminary Ecological Appraisal, Flood Risk Assessment and Management Plan and the draft Marine Mammal Protocol reports submitted in support of the proposal.

Reason: To negate any potential for polluting discharges entering the adjacent River Lagan that could cause adverse effects on connected features of European Sites.

19. The development shall operate using hard surfaced areas constructed generally in accordance with the approved layout Drawing No. 05B 'Ground Floor GA Plan' bearing the Belfast City Council Planning Office date stamp 20 February 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

REASON: To ensure that adequate provision has been made for parking and servicing.

20. The development hereby permitted shall not become operational until the vehicular access to the car club spaces, including visibility splays of 2.0 m x 45 m, has been constructed. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter. The sole exception will be slim trees provided for landscaping purposes and at least 8.0 m from the centreline of the access.

REASON: To ensure that adequate provision has been made for access.

21. The vehicular access to the car club spaces shall be across a lowered kerb access a minimum of 6.0m across. The access gradients to the parking shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

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

22. The Palette of Materials used on footways, on pedestrianised road surfaces and open access pedestrianised public realm, should be in accordance with the Streets Ahead 3 Palette of Materials. All such materials must satisfy Design Manual for Roads and Bridges regarding materials performance and confirm PSV value in accordance with CS 228 Skidding Resistance.

REASON: To ensure there is a safe and convenient road system within the development.

23. The development shall provide 2 car parking spaces reserved for use by the car club scheme. The development shall provide a minimum of 50 bike stands of which 8 shall be provided externally for the use of visitors to the site.

REASON: To ensure that adequate provision has been made for parking.

24. The development hereby permitted shall operate in accordance with the approved Travel Plan published by Belfast City Council Planning Office on 12 March 2019. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads.

REASON: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

25. Prior to occupation a separate, finalised, Residential Travel Plan and Travel Pack will be submitted for approval by Belfast City Council and DfI Roads. This will include provision of travel cards for all apartments for an agreed period and permanent support of the car club.

REASON: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

26. The development hereby permitted shall operate in accordance with the Servicing Management Plan published by Belfast City Council Planning Office on 12 March 2019.

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

27. Environmental Health – air quality (tba)

Signature(s)

Date:

ANNEX	
Date Valid	5th March 2019
Date First Advertised	22nd March 2019
Date Last Advertised	28th February 2020
Details of Neighbour Notification (all addresses) 1 Mays Meadow, Belfast, Antrim, BT1 3DB 19 Laganview Court Belfast Down 3rd Floor, Lesley Exchange 2, 22 East Bridge Street, Belfast, Antrim, BT1 3NR 4 Lanyon Place, Belfast, Antrim, BT1 3LP 47 Marguerite Ave Dundrum Newcastle 5 Laganbank Road, Belfast, Antrim, BT1 3PH 5 Lanyon Place, Belfast, Antrim, BT1 3BT 9 Laganview Court Belfast Down Apartment 1 – 68, St. Johns Wharf 1-3 Laganbank Road, Belfast, Antrim, BT1 3LT Lesley Exchange, Mays Meadow, Belfast, Antrim, BT1 3BL Office 1 Ground Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LY Office 1st Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3BS Office 2 Ground Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LX Office 2nd Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3BN Office 3rd - 6th, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LR Office 6th Floor, Waterfront Plaza, 8 Laganbank Road, Belfast, Antrim, BT1 3LY Offices (4th Floor) & Car Spaces, Leslie Exchange, 24 East Bridge Street, Belfast, Antrim, BT1 3NR Offices (Ground - 3rd Floor) & Car Spaces, Leslie Exchange, 24 East Bridge Street, Belfast, Antrim, BT1 3NR	
Date of Last Neighbour Notification	26th February 2020
Date of EIA Determination	N/A – site below threshold for Schedule 2 in EIA Regs
ES Requested	No
Planning History Ref ID: Z/1992/2275 Proposal: Office accommodation, multi-storey car parks, retail and hotel development, multiplex cinema, restaurants and disco club, food court and drive-in takeaway, youth hostel, sports bar together with associated road network Address: LAGANBANK SITE BOUNDED BY EAST BRIDGE ST/OXFORD ST/RIVER Decision: Permission Granted Decision Date: 21.12.1993 Ref ID: Z/1997/2351 Proposal: Public house/licensed restaurant Address: SITE 2, MAYS MEADOW EAST BRIDGE STREET, BELFAST BT1 Decision: Permission Granted	

Decision Date: 23.09.1997

Notification to Department (if relevant) N/A

Date of Notification to Department:

Response of Department:

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2019/2850/F	
Proposal: Extensions to existing aerospace manufacturing facility and associated site works to include internal access road, replacement car parking, drainage and existing access onto Heron Road.	Location: Bombardier Wing Manufacturing and assembly Facility Airport Road West Belfast BT3 9ED.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: Bombardier Airport Road Belfast BT3 9DZ	Agent Name and Address: Ove Arup and Partners Limited Bedford House Bedford Street Belfast BT2 7FD
<p>Executive Summary: This application seeks full planning permission for extensions to the existing aerospace manufacturing facility at Bombardier. It includes associated site works including internal access road, replacement car parking, drainage and existing access onto Heron Road.</p> <p>The key issues in the assessment of the proposed development are:</p> <ul style="list-style-type: none"> - The principle of proposed extensions to the aerospace manufacturing building - Employment and economic development; - Scale, Massing and Design; - Contaminated Land; - Impact on Natural Heritage and Protected Sites; - Traffic and Parking; - Flooding and Drainage - Impact on amenity; and - Pre-application Community Consultation. <p>The site is located within an established industrial / commercial area within an existing employment zoning within the Harbour Estate where the principle of development is acceptable. Given the scale of the existing building on the site and the established nature of the aerospace manufacturing facility in what is a predominantly industrial area, the scale and design of the extensions are considered appropriate and acceptable, and there will be no adverse environmental impacts as a result of the development or the resultant operations on site.</p> <p>The extensions will provide additional production capacity to meet customer demand and help maintain what is a unique production process under one roof (receipt of raw material through to despatch of assembled product). There will be no significant intensification of the existing use but the extensions will help sustain approximately 1,000 jobs at Bombardier Belfast.</p>	

Consultees & Environmental Matters

Environmental Health – No objection

DAERA – No objection

DFI Roads – No objection

Rivers Agency – No objection

NI Water – No objection

Health and Safety Executive – No objection

Belfast City Airport – No objection

Shared Environmental Services – No objection

No objections or third party representations have been received.

The proposal will not have an adverse impact on the nearby protected ecological sites within and around Belfast Lough. Conditions will ensure that development is carried out in a sympathetic manner and ensure any potential impacts on these sites are mitigated.

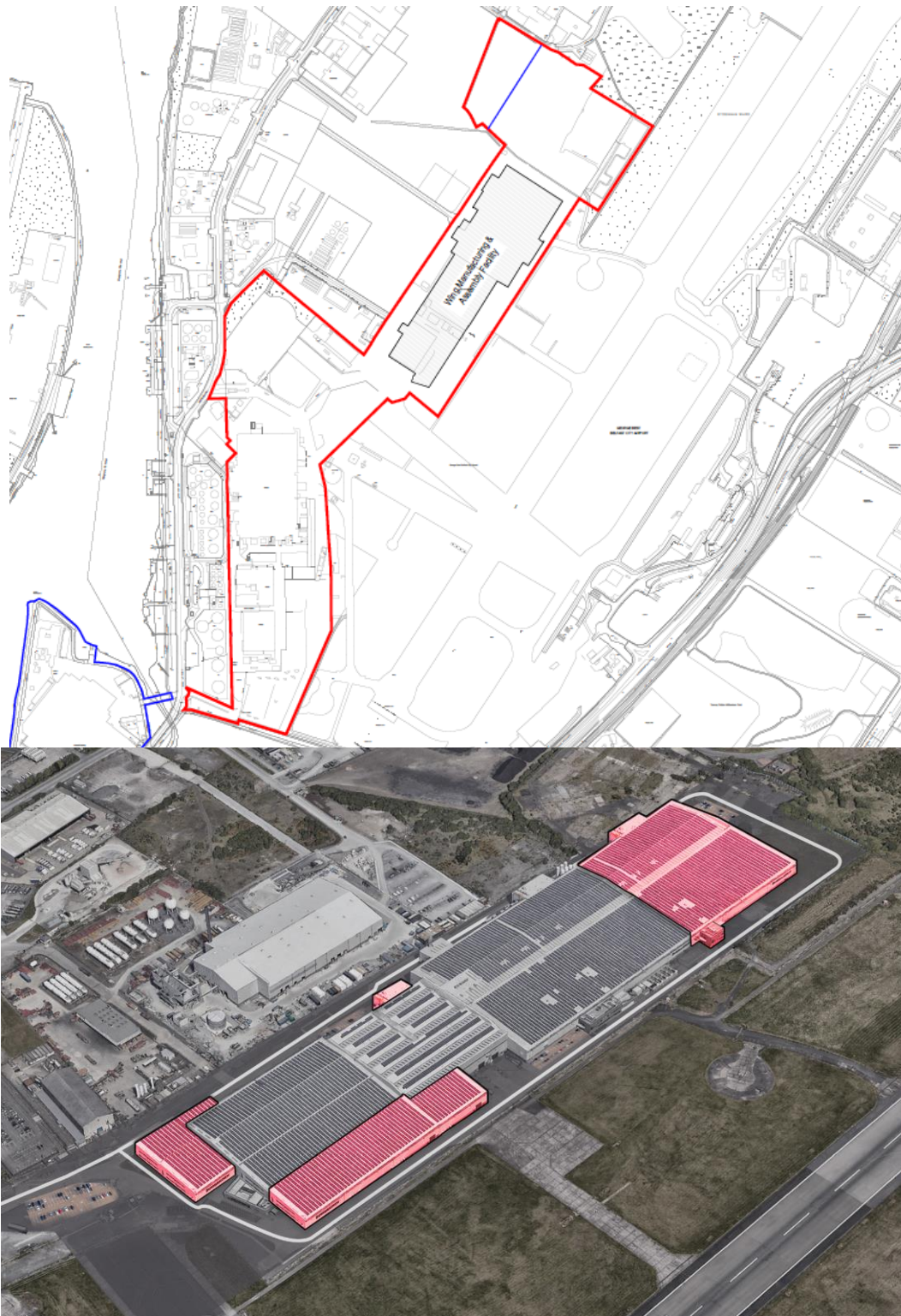
Recommendation

Having regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered acceptable.

It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.

Case Officer Report

Site Location Plan



1.0 Description of Proposed Development

1.1 Full planning permission is sought for the extension of the existing manufacturing building by an additional 30,950m² comprising the following extension elements:

1. Off duty locker facility: 375m²
2. Autoclave bay: 20,530m²
3. Wing tool storage facility: 5,770 m²
4. Wing assembly: 4,275m²

These four main areas of expansion located as follows:



Construction Phase	Proposed Floor Area (m ²)	Construction Completion Date	Location of Extension
1	15,360m ²	06/2021	Eastern extension
2	375m ²	01/2021	Northern extension
3	5,770m ²	06/2022	Southern extension
4	2,575m ²	12/2022	Western extension
5	5,170m ²	12/2023	Eastern extension
6	1,700m ²	06/2024	Western extension

1.2 The northern (off-duty locker facility), southern (tool storage facility (13m) and western (wing assembly (19m) extensions will have finished roof levels below that of the existing building (20.4m).

1.3 The massing of the extensions is influenced by internal operations, for example, the easterly Autoclave Bay extension would be developed to be consistent in height to the existing Wing Manufacturing and Production Facility to enable the internal crane systems to be extended and operated.

1.5 The extensions will be constructed with steel frames, finished externally with lightweight metal cladding to match the existing Wing Manufacturing and Assembly Facility.

2.0 Description of Site

2.1 The application site extends to an area of 34.3 hectares and accommodates Bombardier's Belfast operational facility east of Airport Road West. The proposed development works relate only to the Wing Manufacturing and Assembly Facility which is in the north east portion of the campus. The Wing Manufacturing and Assembly Facility is surrounded by an access track with

	visitor car parking, mechanical plant, fuel storage and sprinkler tanks located along the curtilage. In general, the site is in hard-standing. The footprint of the existing facility is 52,567m ² .
2.3	The largest of the three proposed extensions lies in the 'Moscow Camp' area, located immediately north-east of the Wing Manufacturing and Assembly Facility and an existing access provides connectivity to Heron Road. Moscow Camp is approximately 7 hectares in size and is currently fenced off and not publicly accessible, with areas of hardstanding having become overgrown.
2.4	The site forms part of the existing Bombardier development within the Belfast Harbour Estate, a flat area of predominantly reclaimed land on the south eastern shore of Belfast Lough. Industry (Use Class B2 and B3) is the predominant land use in the surrounding area.
2.5	The site is bounded to the north east by Heron Road, the west by the RiverRidge Energy from Waste facility and to the south west by George Best Belfast City Airport. Victoria Park is south of the application site while the nearest residential properties are situated some 950m from the subject lands in the Sydenham area.

Planning Assessment of Policy and other Material Considerations

3.0	Planning History
3.1	Z/2009/0092/F Proposal: Extension to existing aerospace manufacturing facility to include a new 700,000sq ft (approx) factory with associated servicing, landscaping, ancillary buildings and canteen. Address: Bombardier Aerospace, Airport Road West site, Airport Road West, Belfast. Decision: Approval Decision Date: 22.06.2009
3.2	Z/2010/0140/F Proposal: Extension to existing aerospace manufacturing facility to include 2 no. factory buildings, one of which was previously approved under planning application Z/2009/0092/F Address: Bombardier Aerospace, Airport Road West Site, Airport Road West. Decision: Approval Decision Date: 07.06.2010
3.3	Z/2011/0606/F Proposal: Amendments to design and layout of approved extension to existing aerospace manufacturing facility to include 2 no. factory buildings. Address: Bombardier Aerospace, Airport Road West Site, Airport Road West, Belfast, BT3 9ED. Decision: Approval Decision Date: 03.10.2011
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Developer Contribution Framework 2020
4.2	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 13 – Transportation and Land Use

	Planning Policy Statement 15 - Planning and Flood Risk
5.0	Statutory Consultees DfI Roads – No objection subject to conditions DAERA Waste Management Unit – No objection DAERA Water Management Unit – No objection subject to conditions DAERA Natural Environment Division – No objection subject to conditions DfI Rivers Agency – No objection Belfast City Airport – No objection Health and Safety Executive NI – No objection Rivers Agency – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions
7.0	Representations None received
8.0	Other Material Considerations N/A
9.0	Assessment The key issues in the assessment of the proposed development are: <ul style="list-style-type: none"> - The principle of proposed extensions to aerospace manufacturing building - Scale, Massing and Design; - Contaminated Land; - Impact on Natural Heritage and Protected Sites; - Traffic and Parking - Flooding and Drainage - Impact on amenity; - Pre-application Community Consultation.
9.1	The principle of proposed extensions to aerospace manufacturing building Following the May 2017 Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001 (BUAP). However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 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.
9.2	In the BUAP the site is located within the development limits of Belfast and within the Draft Belfast Metropolitan Area Plan (2004 and 2015 versions) within the zoning existing employment zoning. The presumption is therefore in favour of development subject to the planning considerations detailed elsewhere in this report.
9.3	The proposal has been assessed against Policy PED of PPS4.
9.4	A proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria: <ul style="list-style-type: none"> - <i>it is compatible with surrounding land uses;</i> The proposal is within an established industrial / commercial area. The proposed extensions to the aerospace manufacturing building will not have any significant impact on adjacent land-uses or properties due to the scale of the site and for reasons stated in the main body of the report. - <i>it does not harm the amenities of nearby residents;</i> There are no residential properties within the vicinity of the site.

- ***it does not adversely affect features of the natural or built heritage;***
The site is not located within any National, European or Internationally designated sites, but is located within close proximity to a number of protected sites. Shared Environmental Services have offered no objections to the proposal as long as the necessary mitigation measures are secured by planning conditions.
- ***it is not located in an area at flood risk and will not cause or exacerbate flooding;***
The area is not within a designated flood plain or an area that has been identified as being prone to flooding.
- ***it does not create a noise nuisance;***
The proposed use is not likely to cause significant noise levels that would impact on amenity of nearby properties. There are no residential receptors within the vicinity of the site. This will be discussed further below.
- ***it is capable of dealing satisfactorily with any emission or effluent;***
No significant emissions would be associated with the proposed use.
- ***the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;***
DFI Roads have offered no objections to the proposal and the proposal is considered acceptable in this regard.
- ***adequate access arrangements, parking and manoeuvring areas are provided;***
Displaced parking is being largely relocated. DFI Roads has offered no objections.
- ***a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;***
The proposal will avail of existing access arrangements. The application is supported by a Green Travel Plan which will be required to be implemented by condition.
- ***the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;***
The design, massing and finishes of the proposed extensions are in keeping with the industrial character of the building and the area.
- ***appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;***
A satisfactory detailed landscaping plan has been proposed.
- ***is designed to deter crime and promote personal safety; and***
The access to the site is security gated and controlled.

Employment and economic development

9.5

The application is supported by an Economic Statement. It states that Bombardier is the largest manufacturer in Northern Ireland, producing 10% of the regions manufactured exports. The company is seeking to further invest in its Belfast operation by expanding its Wing Manufacturing and Assembly Facility to meet growing customer demand.

9.6	Bombardier produces composite wings at the facility for Airbus A220 family of aircraft. Almost 100 A220s are already in operation and Airbus has received 530 firm aircraft orders from over 20 customers worldwide. It has asked Bombardier to significantly ramp up its current production process to meet customer demand. The purpose of the proposed extensions is to provide the necessary additional capacity. The current manufacturing process is said to be unique in that it encompasses production under one roof including receipt of raw carbon fibre, cutting and lay-up, the resin transfer infusion production system, non-destructive testing, wing assembly and testing right through to the dispatch of wings.
9.7	The applicant's intention is to commence development immediately on the granting of planning permission. The proposed extensions would create in the region of 300 construction jobs with a construction programme commencing in 2020 and ending in 2024. Bombardier's investment would support around 1,000 jobs during peak production and the proposal will help maintain the company's contribution to the Belfast economy with a total workforce of around 3,500.
9.8	The applicant's business needs and the significant benefits of the proposal to the local and wider regional economy are very important material considerations.
9.9	<p>Scale, Massing and Design</p> <p>The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The functional extensions are in keeping with the form, character and appearance of the existing Bombardier building and its surroundings and similar in terms of its form and design to many of the established industrial commercial style buildings in the area. Therefore, in terms of overall visual impact, the proposal will not harm the character and appearance of the area. The proposed materials are reflective of the industrial character of the Belfast Harbour Estate and match the existing building.</p>
9.10	<p>Contaminated Land</p> <p>The existing central Bombardier building was renovated in 1983 with further extensions constructed circa 2010 and 2012. The application notes that the existing Wing Manufacturing and Assembly facility was constructed on imported fill material.</p>
9.11	Extensions to the existing building are proposed to the north, east, south and west elevations.
9.12	One part of the extension is to be developed on the former Moscow Camp Ministry of Defence site. The Preliminary Risk Assessment submitted with the application identifies a number of potential sources of contamination associated with this former land use including helipads, mechanics bays, oil storage and a remaining sub-station.
9.13	Historically, the entire site was reclaimed from Belfast Lough with the ground level raised using hydraulic fill materials. Various potentially contaminating activities have been identified in the area surrounding the site. The report also outlines a number of historical site investigations that have been undertaken across the wider site between 1987 and 2011.
9.14	The Generic Quantitative Risk Assessment (GQRA) notes that the identified ground conditions are made ground to a maximum depth of 2.5m below ground level (bgl), hydraulic fill/reclaimed land to a maximum depth of 5.0m bgl, silex to a maximum depth of 7.1m bgl and glacial deposits to a maximum depth of 30.1m bgl. Sherwood Sandstone is anticipated to underlie the site however the reports note that bedrock remains unproven. During the various site investigations, observed contamination was identified in a number of locations including ash, clinker and cinders, hydrocarbon odours and 'free phase' oil contamination identified on the surface of the groundwater (in one location only).

9.15	Groundwater level on site was determined from previous reports; it is noted to occur between 0.4m to 2.2m bgl. A design groundwater level of 0.8m bgl has been adopted. Groundwater is thought to flow towards the east, in the direction of the Connswater River, which then flows into Belfast Lough. The report notes that no significant tidal influence on groundwater levels was identified though continuous groundwater monitoring undertaken in the previous site assessments, however other sections of the report refer to tidal changes influencing the ground gas regime (GQRA Appendix D Section 5).
9.16	The Council's Environmental Protection Unit confirm that the only relevant human health pollutant linkage with regard to the final site use is the presence of ground gas.
9.17	The Ground Gas Risk Assessment, presented in Appendix D of the GQRA, has been updated to provide greater rationale on the calculation of a representative Gas Screening Value for the proposed development site.
9.18	In addition, the drawing titled 'Proposed Floor Plans', contained within Annex 5 of the amended Ground Gas Risk Assessment (presented within Appendix D of the revised GQRA), clearly demonstrates which parts of the proposed extensions can be classified as Type D and which are classified as Type C. This is explained below.
9.19	<p>The reports suggest the following gas protection measures within the Type D areas (which under CS4 require 3.5 points):</p> <ul style="list-style-type: none"> - Cast in situ monolithic reinforced ground bearing raft or reinforced cast in situ suspended floor slab with minimal penetrations (1.5pts). - Gas resistant membrane meeting all the BS8485 criteria (2.0pts).
9.20	<p>The reports suggest the following gas protection measures within the Type C areas (which under CS4 require 4.5 points):</p> <ul style="list-style-type: none"> - Cast in situ monolithic reinforced ground bearing raft or reinforced cast in situ suspended floor slab with minimal penetrations (1 or 1.5pts). - Gas resistant membrane meeting all the BS8485 criteria (2.0pts). - Passive sub floor dispersal layer of at least good performance (1.5pts for good performance 2.5pts for very good performance). Media used to provide the dispersal layer are: <ul style="list-style-type: none"> o Clear void. o Polystyrene void former blanket. o Geocomposite void former blanket. o No-fines gravel layer with gas drains. o No-fines gravel layer.
9.21	However, Environmental Health has highlighted that not all of the suggested passive ventilation measures would be considered suitable for the proposed development. As outlined in Annex B of BS 8485:2015+A1:2019, geocomposite blankets are not suitable for CS4 risk sites unless the width of the building is small (less than 5m to 8m) and gravel layers are not sufficiently effective for use on CS4 sites.
9.22	Having regard to these comments, the application no longer recommends that the existing active gas extraction system is turned off. The report notes that amendments will be required to the existing active gas extraction system where Extension 3 is to adjoin the existing building; pipes from each vent box will extend internally from floor level to the roof and be fitted with a static venting cowl. The application confirms that a specialist contractor will be completing the detailed design and installation of the gas protection measures. Conditions are recommended to ensure that these issues are addressed.

9.23	DAERA has noted that following intrusive investigations in relation to groundwater that exceedances of the relevant screening values for metals and phenol in the shallow and metals, phenol and TPH fractions in the deep were identified from the samples obtained. RPS conclude that the exceedances in the deep groundwater have the potential to pose a risk to environmental receptors (Musgrave Channel) for which remediation measures have been presented.
9.24	DAERA has no objections to the development subject to appropriate conditions.
9.25	<p>Impact on Natural Heritage and Protected Sites</p> <p>The proposal has been assessed against Policies NH1 (European and RAMSAR Sites), NH2 (Species Protected by Law), NH 3 (Sites of Nature Conservation Importance – National), and NH 5 (Habitats, Species or Features of Natural Heritage Importance) of PPS2.</p>
9.26	The site is in close proximity to National, European and international designated sites. The site is located within 500m of Belfast Lough and within close proximity to the Inner Belfast Lough area. The site is located within 2km of the Belfast Lough Ramsar site, the SPA and open SPA designated to protect a number of important bird species. The site is also located approximately 400m from the Inner Belfast Lough Area of Special Scientific Interest. It is worth noting that the site does not lie within any of the designated areas stated above.
9.27	Natural Environment Division (NED) acknowledge receipt of a Preliminary Ecological Assessment (PEA) and Outline Construction Environmental Management Plan (CEMP).
9.33	A site survey of the application site was conducted by NED officials on 26 th November 2019 and was found to contain Open Mosaic Habitats (OMH) of low ecological value, not comparable to other examples of OMH found within the Belfast Harbour Estate. No other priority habitat of high ecological value was recorded on site.
9.34	No priority species, or evidence of these, were recorded on site; as per the findings of the PEA.
9.35	NED note there is potential for disturbance from lighting and will therefore require details of proposed lighting and mitigations for bat species, as recommended in the PEA. NED recommend that light spill onto adjacent vegetation is kept to a minimum and avoids disturbance to Natural Heritage interests.
9.36	NED are satisfied with the proposed mitigation recommendations and monitoring detailed within the Outline Habitat Management Plan for the loss of OMH and establishment of unimproved neutral grassland. NED have recommended Condition Nos. 13-15 (Section 11) are attached should planning permission be forthcoming to ensure the appropriate mitigation measures are implemented to prevent any adverse impact on wildlife and natural heritage.
9.37	Shared Environmental Services (SES) has considered the proposal in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) on behalf of the Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.
9.38	Having considered the nature, scale, timing, duration and location of the project it is concluded that provided the mitigation is conditioned, the proposal will not have an adverse effect on site integrity of any European site. SES has however recommended that Piling operations occurring between mid-April and July are agreed in writing by the Council including a suitable management process agreed to protect nesting terns or other SPA bird features within the nearby RSPB Reserve. This will be secured via condition (Condition No. 11, Section 11).

9.39	<p>Due to the distance this proposal is from the marine environment, NIEA Marine and Fisheries Division are content that the proposal will not have any impact on marine features. Given the distance between existing seal haul out sites and high water mark from piling operations, NIEA consider that the proposal is unlikely to have a significant impact on marine mammals through the production of piling noise.</p>
9.40	<p>Furthermore, an outline construction environmental management plan (OCEMP) has been provided and details the environmental monitoring and mitigation measures that are to be implemented during construction works to minimise the effects of the site operations on receptors. NIEA has asked that a final Construction Environmental Management Plan should be agreed prior to commencement of development and this will be secured by a condition (Condition No. 10, Section 11).</p>
9.41	<p>Traffic and Parking The proposal has been assessed having regard to Policy TRAN 1 of PPS3 and Policy CC025 of draft BMAP.</p>
9.42	<p>The site is located off Airport Road West with access onto the motorway network via Dee Street or Hollywood Exchange junctions. All traffic accesses the site via the manned security entrance onto Airport Road West. Visitors must also report to this point on arrival to site.</p>
9.43	<p>The southern, western and eastern extensions would encroach onto existing car parking spaces resulting in the redistribution of spaces including the creation of a new 24 space car park adjacent to the northern extension. It should be noted that there will be no additional staff on site as a result of the proposed extensions. A number of car parking spaces are being displaced to enable the erection of the small extension on the western part of the building. Most of these displaced spaces are being relocated adjacent to the northern extension. DFI Roads have noted an overall reduction of 20 car parking spaces but have offered no objections to the development subject to Condition Nos. 7-9 detailed in Section 11 of the report.</p>
9.44	<p>The re-organisation of existing car parking would result in the provision of 4 car parking lots as follows:</p> <ul style="list-style-type: none"> - The southern car park located at the internal roundabout will provide 79 spaces. - The eastern car park fronting the site's boundary with Belfast City Airport will provide 18 car parking spaces. - The creation of a new car park at the northern extension will provide 24 new spaces. - The western car park fronting the energy from waste facility will provide up to 32 spaces.
9.45	<p>It is expected that the delivery of raw materials for wing construction to the site would marginally increase by 1 – 2 HGVs per day. Currently there are 2 sets of wings transported from the facility per week and this is expected to increase to 3.5 per week. These vehicles exit the site pre 6am and do not mix with typical daily traffic. It is therefore anticipated that the proposed development would not have a significant impact on the surrounding road network and there will be no infrastructure improvements required. DFI Roads has no objection to the application and it is considered acceptable in terms of transport considerations.</p>
9.46	<p>Flooding and Drainage The proposal has been assessed against Policies FLD1 and FLD3 of PPS15.</p>
9.47	<p>DfI Rivers reviewed the Flood Risk and Drainage Assessment provided with the application and commented that the Drainage Details only lack a letter from DfI Rivers local area office for consent to discharge into the adjacent watercourse. Additional information was submitted to address this point. Subsequently, DfI Rivers has assessed proposals to discharge a maximum of 35.24 l/s storm water to the designated Sydenham Stream and confirms its consent with these proposals under Schedule 6 of the Drainage (NI) Order 1973.</p>

	<p>Impact on amenity</p> <p><u>Noise</u></p>
9.48	<p>The site is within the Belfast Harbour industrial estate and is surrounded by industrial land uses to the north, south and west. Belfast City Airport is located immediately to the east of the site, with the A2 Sydenham Bypass dual carriageway running approximately 650m to the south east of the site. The nearest residential receptors to the proposed development are approximately 950m to the east (on Parklands off Knocknagoney Road which are already exposed to high noise levels during day-time hours).</p>
9.49	<p>A Noise Screening Assessment has been provided with the application. Table 10 within Section C4 summarises the potential noise and vibration impacts at residential locations from plant and traffic associated with the construction and operational phases. Given the large distance between the proposed development and the nearest residential receptors, the report states that there is a very low risk of operational noise from plant and equipment resulting in adverse noise impacts at residential receptors.</p>
9.50	<p>Due to the local topography, noisy works such as percussive piling operations and concrete breaking undertaken within the Harbour Estate, particularly during night-time hours, may travel and be perceptible at residential premises regardless of the separation distance. Environmental Health has subsequently requested that a condition is attached to any approval prohibiting percussive piling operations and concrete breaking during night time hours. This condition is detailed in Section 11 of the report (Condition No. 5).</p>
	<p>Air Quality</p>
9.51	<p>The EIA Screening Report submitted with the application considers air quality impacts from the construction and operational phases of the development and an Air Quality Screening Assessment is contained within Appendix D.</p>
	<p><u>Construction</u></p>
9.52	<p>Construction traffic and plant were identified as having the potential to impact on local air pollutant concentrations due to exhaust emissions; however, it is noted that the changes in traffic are below the threshold for a detailed air quality assessment. Construction activities were considered to have the potential to result in dust impacts due to movement and storage of materials.</p>
	<p><u>Operational</u></p>
9.53	<p>The assessment states that there are no new combustion processes included in the proposed development. The operational traffic changes are noted to be '<i>extremely low</i>' and do not meet the threshold for detailed assessment.</p>
9.54	<p>The Air Quality Screening Assessment has determined that a detailed air quality assessment is not required for the development. Potential impacts from air quality are considered to be negligible and not significant. The report recommends that dust mitigation measures (for a low risk site) contained within section D5.3 should be included within the Construction Environmental Management Plan (CEMP).</p>
9.55	<p>There is no objection from Environmental Health and the air quality impacts are considered acceptable.</p>
	<p>Pre-application Community Consultation</p>
9.56	<p>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.</p>

9.57	<p>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 Proposal of Application Notice (PAN) LA04/2018/2190/PAN was submitted to the Council on 8th August 2019.</p>
9.58	<p>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.</p>
9.59	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p>
9.60	<p>The Public Consultation Event took place in the Park Avenue Hotel, Hollywood Road, on 16th October 2019. This event was advertised in the Belfast Telegraph week commencing 30th September 2019.</p>
	<p>Invitations were issued to properties within the Airport Road West Industrial Park.</p>
9.61	<p>The PAN was circulated to a number of local Councillors and MLAs via email on 6th September 2019.</p>
9.62	<p>Three people attended the event with one response received. The responses to the four specific questions were generally supportive and positive.</p>
9.63	<p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p>
9.64	
10.0	<p>Summary of Recommendation: Approval</p>
10.1	<p>Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission should be granted.</p>
10.2	<p>It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise conditions.</p>
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 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. 2. Prior to commencement of development, the applicant shall submit to and have approved in writing by the Council, a Detailed Remediation Strategy. The Detailed Remediation Strategy must follow the proposals outlined in the letter from Ove Arup & Partners Ltd (dated 31st January 2020 and referenced LA04/2019/2850/F) and the Ove Arup & Partners Ltd reports entitled 'Bombardier, WPU Expansion, Generic Quantitative Risk Assessment' (referenced REP/226538-75/GEO/REP/002, Issue 02 and dated 31st January 2020) and 'Bombardier, WPU Expansion, Remediation Strategy, Implementation & Verification Plan' (referenced REP/226538-75/GEO/REP/002, Issue 02 and dated 31st January 2020). <p>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. In particular, the Detailed Remediation Strategy must demonstrate how Characteristic</p>

Situation 4 gas protection measures will be provided to the proposed development areas. It must incorporate:

- a. Detailed design of the proposed gas protection measures for each extension area (Type C and Type D) including calculations (for the proposed ventilation measures) and technical drawings.
- b. Details of how the gas protection measures will be installed where the extensions adjoin the existing building, and how the gas protection measures within the existing buildings will be maintained.
- c. Detail on how the proposed remedial works are to be verified.

All construction thereafter must be in accordance with the approved Remediation Strategy.

Reason: Protection of human health.

3. In order to demonstrate that the 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 prior to occupation of each Phase of the development. 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.

Reason: Protection of human health.

4. 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 in writing immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. 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.

Reason: Protection of human health.

5. During the construction phase, percussive piling operations and concrete breaking shall not be undertaken between the hours of 23:00-07:00hrs.

Reason: In the interests of residential amenity.

6. The extensions hereby approved shall not be used other than for purposes ancillary to the existing building as an aircraft manufacturing facility.

Reason: To control use of the extensions and minimise the generation of traffic.

7. The extensions hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with drawing No.F518 B02C uploaded to the Planning Portal 6th December 2019 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

	<p>Reason: To ensure adequate provision has been made for parking within the site.</p> <p>8. The development hereby permitted shall operate in accordance with the Draft Construction Traffic Management Plan uploaded to the Planning Portal 6th December 2019.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>9. The extended building hereby permitted shall operate in accordance with the Framework Travel Plan uploaded to the Planning Portal 6th December 2019.</p> <p>Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>10. Notwithstanding the submitted details, no development shall commence until a final Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council. This final plan should contain all the mitigation as described in the Outline CEMP completed by ARUP Consulting, dated 27/11/2019. This CEMP should also address any works near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999.</p> <p>The approved CEMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved CEMP, unless otherwise agreed in writing by the Planning Authority. The CEMP shall include the following:</p> <ul style="list-style-type: none"> a. Construction methodology and timings of works; b. Pollution Prevention Plan; including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site; c. Details of the appointment of an Ecological Clerk of Works (ECow) and their roles and responsibilities. <p>Reason: To protect the features of potentially connected European Sites from construction polluting discharges and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p> <p>11. Any Piling activities to take place between mid-April to July in any calendar year must be agreed in writing by the Council including a suitable management process agreed to protect nesting terns or other SPA bird features within the RSPB Reserve.</p> <p>Reason: To protect the ornithology breeding/nesting features from potential disturbance due to piling.</p> <p>12. The external colour finish of the extensions shall match the existing buildings.</p> <p>Reason: In the interests of visual amenity.</p> <p>13. Within twenty four hours prior to demolition, the existing building on the site shall be checked for bat presence by a competent ecologist and all demolition works shall be monitored by a competent ecologist. A report of the demolition shall be submitted to the Council within 2 weeks.</p> <p>Reason: To ensure protection to bats and their roosts.</p>
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14. There shall be no external lighting on the site until a Lighting Plan has been submitted to and approved in writing by the Council. The approved Plan shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Council. The Plan shall include the following:

- a. Specifications of lighting to be used across the site, including model of luminaires, location and height;
- b. All measures to mitigate for the impacts of artificial lighting on bats and other wildlife, e.g. timing of lighting, use of low level lighting, screens, hoods, cowls etc.
- c. A horizontal illuminance contour plan (isolux drawing) showing predicted light spillage across the site;

Reason: To minimise the impact of the proposal on bats.

15. No development activity, including ground preparation or vegetation clearance, shall take place until a (final) Habitat Management Plan (HMP) has been submitted to and approved in writing by the Council. The approved HMP shall be implemented in accordance with the approved details and all works on site shall conform to the approved HMP, unless otherwise agreed in writing by the Council. The HMP shall include the following:

- a. Clear aims and objectives of proposed habitat management.
- b. Appropriate maps, clearly identifying habitat management areas;
- c. Detailed methodology and prescriptions of habitat management and creation measures, including timescales, and with defined criteria for the success of the measures;
- d. Details of the regular monitoring of the effectiveness of habitat management measures using appropriate methodology (e.g. visual inspections, vegetation quadrats, fixed point photography) in at least years 1 – 5 after construction and must continue indefinitely, or until further instruction from Planning Authority.
- e. Details of the production of regular monitoring reports which shall be submitted to the Council within 6 months of the end of each monitoring year and which shall include details of contingency measures should monitoring reveal unfavourable results.

Reason: To compensate for the loss of and damage to Northern Ireland priority habitats.

Informatives

The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise to commercial premises.

The applicant's attention is drawn to the fact that the site is in proximity to the boundary of North Channel and the Maidens SAC, Belfast Lough Open Water, Belfast Lough and East Coast Marine SPAs and precautions should be taken to ensure its integrity will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and require consent from the Northern Ireland Environment Agency, Conservation, Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA.

For Further information please see;

<https://www.daera-ni.gov.uk/articles/special-areas-conservation>

Marine Conservation Zones

	<p>http://www.legislation.gov.uk/nia/2013/10/section/33</p> <p>The applicant's attention is drawn to the fact that the site is in proximity to the boundary of Outer Belfast Lough Marine Conservation Zone (MCZ) and precautions should be taken to ensure its integrity and the animals residing within, will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring outside the red line planning application boundary are subject to the Marine Act (Northern Ireland), which makes it an offence to</p> <ul style="list-style-type: none"> a) intentionally or recklessly kills or injures any animal in an MCZ which is a protected feature of that MCZ, b) intentionally picks or collects, or intentionally or recklessly cuts, uproots or destroys, any plant in an MCZ which is a protected feature of that MCZ, c) intentionally or recklessly takes anything from an MCZ which is, or forms part of, a protected feature of that MCZ, or d) intentionally or recklessly destroys or damages any habitat or feature which is a protected feature of an MCZ <p>For Further information please see; https://www.daera-ni.gov.uk/articles/marine-conservation-zones</p> <p>The applicant's attention is drawn to the fact that the site is in proximity to the boundary of Inner Belfast Lough Area of Special Scientific Interest (ASSI) and precautions should be taken to ensure its integrity will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring outside the red line planning application boundary are subject to the Environment (Northern Ireland) Order 2002 (as amended), which makes it an offence to carry out operations likely to damage an ASSI without prior permission from the Northern Ireland Environment Agency, Conservation, Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA. The maximum penalty for offences is £20,000. In addition to a fine, offenders may be liable for the costs of restoring the damaged area to its original condition</p> <p>For Further information please see; https://www.daera-ni.gov.uk/topics/land-and-landscapes/areas-special-scientific-interest</p> <p>RAMSAR Convention on Wetlands</p> <p>The applicant's attention is drawn to the fact that the is in proximity to the boundary of Belfast Lough RAMSAR site and precautions should be taken to ensure its integrity should not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter.</p> <p>For Further information please see; https://www.daera-ni.gov.uk/topics/land-and-landscapes/ramsar-sites</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member None
	Neighbour Notification Checked Yes

ANNEX	
Date Valid	5th December 2019
Date First Advertised	13th December 2019
Date Last Advertised	13th December 2019
Details of Neighbour Notification (all addresses)	
1 Depot Road,Belfast,Down, 1 Heron View,Belfast,Down,BT3 9LN 101a – 105 Airport Road West,Belfast,Down,BT3 9ED 13 Airport Road West,Belfast,Down,BT3 9ED 19 Airport Road West,Belfast,Down,BT3 9EE 1a ,Airport Road West,Belfast,Down,BT3 9ED 26 Airport Road,Belfast,Down,BT3 9ED 30-32 ,Airport Road West,Belfast,Down,BT3 9ED 4 Sydenham Bypass,Belfast,Down,BT3 9JH 40-48 ,Airport Road West,Belfast,Down,BT3 9ED 7b ,Airport Road West,Belfast,Down,BT3 9ED 9 Airport Road West,Belfast,Down,BT3 9ED Aircraft Factory,Airport Road,Belfast,Down,BT3 9DZ Belfast City Airport,Sydenham Bypass,Belfast,Down,BT3 9JH Engineering Works,Airport Road West,Belfast,Down,BT3 9DY Football Pavillion,Park Avenue,Belfast,Down,BT4 1LL Lagan Bitumen,Airport Road West,Belfast,Down,BT3 9ED Main Terminal,100 Sydenham Bypass,George Best Belfast City Airport,Belfast,Down,BT3 9JH Oil Storage Depot,St Services,Airport Road,Belfast,Down,BT3 9DY Rn Dock,Airport Road West,Belfast,Down,BT3 9DY	

Servol Lubricants (Ni)Ltd,Airport Road,Belfast,Down,BT3 9DY	
Shell Bitumen,Airport Road West,Belfast,Down,BT3 9ED	
St Services,Airport Road,Belfast,Down,BT3 9DY	
Store Offices,103 Airport Road West,Belfast,Down,BT3 9ED	
Traffic Control Centre 1b,Airport Road,Belfast,Down,BT3 9DY	
Unit 1 - 29,Main Terminal,100 Sydenham Bypass,George Best Belfast City Airport,Belfast,Down,BT3 9JH	
Unit A & B,101 Airport Road West,Belfast,Down,BT3 9ED	
Works,Airport Road,Belfast,Down,BT3 9DY	
Date of Last Neighbour Notification	10th December 2019
Date of EIA Determination	24th January 2020
ES Requested	Yes /No
Drawing Numbers and Title	
Notification to Department (if relevant)	
Date of Notification to Department:	
Response of Department:	

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: Tuesday 10 March 2020	
Application ID: LA04/2018/0022/F	
Proposal: Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking	Location: Rossa Park Shaw's Road Belfast BT11 9QJ
Referral Route: Major application, funded by Belfast City Council.	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Aidan Hamill (Secretary) O'Donovan Rossa GAC Rossa Park 84 Shaws Road Belfast BT11 9QJ	Agent Name and Address: AECOM Beechill House Beechill Road Belfast BT8 7RP
Executive Summary: This application seeks full permission for a Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking The key issues are: <ul style="list-style-type: none"> - The principle of the development of at this location; - Visual impacts of the proposal; - Impact on amenity / character of the area; - Impact on the natural environment; - Impact on transport and other infrastructure; - Flood risk from the proposal; - Impact on natural heritage. Six objections were received raising the following issues (summarised): <ul style="list-style-type: none"> - Impact on residential amenity through noise and disturbance; - Land ownership issue; 	

- Impact of traffic and parking on area and on adjacent businesses;
- Loss of light
- Loss of view of Belfast Hills
- Drainage issues
- Hours of operation
- Impact of floodlighting
- Concern that there will be a licenced premises

The site is within an existing playing field facility at Rossa Park, Shaw's Road, Belfast. The site is designated as an area of existing open space within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015, and lands reserved for landscape, amenity or recreational use in the Belfast Urban Area Plan 2001 (BUAP).

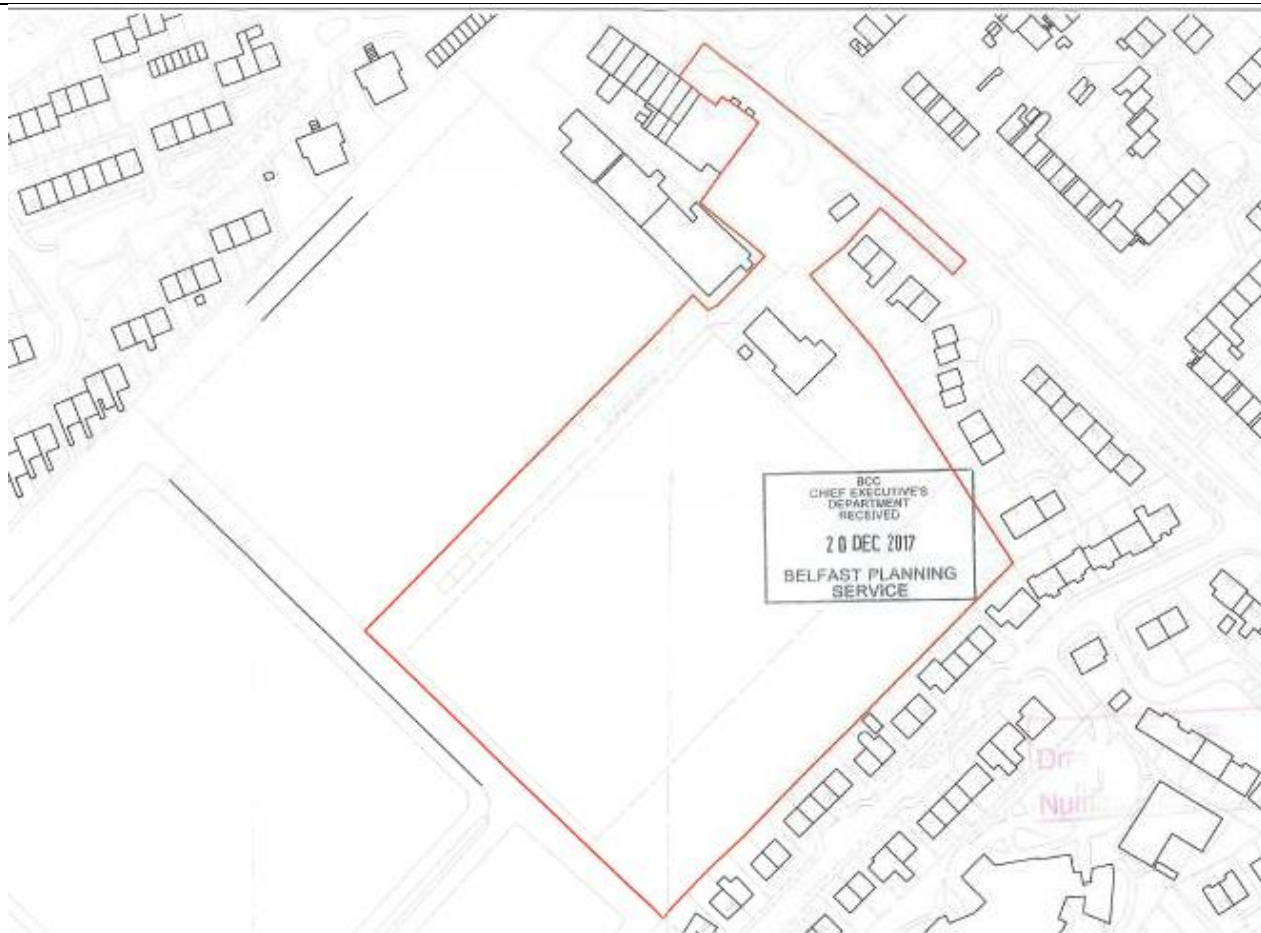
The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), Planning Policy Statement 2, Planning Policy Statement 3, Planning Policy Statement 8, and Planning Policy Statement 15.

BCC Environmental Health, DFI Roads Service, Northern Ireland Water Ltd, DFI Rivers Agency, DAERA Water Management Unit, DAERA Regulation Unit and DAERA Natural Environment Division have raised no objections and the proposal is considered acceptable subject to conditions.

Accordingly, it is recommended for approval subject to conditions and delegated authority is sought for the Director of Planning and Building Control to resolve any outstanding matters and finalise the wording of conditions.

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None Received
Letters of Objection	6
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0 Description of Proposed Development

Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking.

2.0 Description of Site

The site is located within an existing playing field facility at Rossa Park, Shaw's Road, Belfast. The site comprises a grassed sports pitch, car parking area, a clubhouse building within the ground of the Club and a further single storey building and private car parking area (for the adjacent businesses) at the entrance to the site. The site is defined by fencing with areas of vegetation to the rear. Sarsfield GAA Club is sited adjacent to the site to the south west and St Paul's GAA Club is adjacent to the north west.

Residential development abuts the site to the north east (Hillhead Cottages) and south east (Rosgoill Park). These streets comprise a mix of residential buildings which are single and two storeys in height with associated garden areas. There are a number of businesses at the entrance to the site.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 There is relevant planning history on the site under application reference LA04/2018/2930/F for “Erection of a spectator stand (with 150 seats, 2 wheelchair spaces with associated access facilities)” which was approved permission on 07/03/19.

4.0 Policy Framework

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.2 Strategic Planning Policy Statement (SPPS)

4.3 Planning Policy Statement (PPS) 2: Natural Heritage

4.4 Planning Policy Statement (PPS) 3: Access, Movement and Parking

4.5 Planning Policy Statement (PPS) 8: Open Space, Sport and Recreation

4.6 Planning Policy Statement (PPS) 15: Planning and Flood Risk

5.0 Statutory Consultees

5.1 DFI Roads Service – No objection subject to conditions

5.2 Northern Ireland Water Ltd – No objection

5.3 DFI Rivers Agency – No objection

5.4 DAERA Natural Environment Division – No objection

5.5 DAERA Regulation Unit – No objection subject to conditions

5.6 DAERA Water Management Unit – No objection

6.0 Non Statutory Consultees

6.1 BCC Environmental Health – No objection subject to conditions

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. Additional information/amendments have been received during the processing of the application in response to requests for clarification from consultees. Re-advertisement and re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt. Six responses have been received.

7.2 Six objections were received raising the following issues (summarised):

- Impact on residential amenity through noise and disturbance;
- Land ownership dispute;
- Impact of traffic and parking on area and on adjacent businesses;
- Loss of light
- Loss of view of Belfast Hills
- Drainage issues
- Hours of operation
- Impact of floodlighting
- Concern that there will be a licenced premises

7.3 These issues will be considered through the report, however a number of these are not planning considerations and outside the remit of planning legislation and guidance, for example the loss of a particular mountain view from an objector's home, and licencing provision. The proposal does not include a premises for the sale of food or drink for consumption on or off the premises. Details of current and proposed use, including details of proposed floodlighting were submitted for consideration on 26th November 2019.

8.0 Other Material Considerations

8.1 Development Control Advice Note 15 Vehicular Access Standards

9.0 Assessment

9.1 The key issues in the assessment of the proposal are as follows:

- The principle of the development of at this location;
- Visual impacts of the proposal;
- Impact on amenity / character of the area;
- Impact on the natural environment;
- Impact on transport and other infrastructure;
- Flood risk from the proposal;
- Impact on natural heritage.

9.2 Article 6 (4) of the Planning (Northern Ireland) 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 considerations indicate otherwise.

9.3 The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS states at paragraph 1.13 (page 7) that a number of policy statements, including PPS2, PPS3, and PPS 8 remain applicable under 'transitional arrangements'.

9.4 Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within BMAP 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.

9.5 The site is designated as an area of existing open space within (Draft) Belfast Metropolitan Area Plan (BMAP) 2015, and lands reserved for landscape, amenity or recreational use within Belfast Urban Area Plan 2001 (BUAP). The proposed development is for a community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of a floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking. The proposal is considered to comply with both development plans.

9.6 PPS8 sets out regional policy for open space and recreation. Policy OS1 refers to the protection of open space, Policy OS4 relates to intensive sports facilities, stipulating 5 criteria with which proposals must accord. Policy OS7 relates to floodlighting and stipulates 3 criteria that proposals must satisfy. Paragraphs 6.199 - 6.213 relate to open space. Paragraph 6.213 sets out relevant planning considerations including: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage. No conflict arises between PPS8 and SPPS policies.

9.7 PPS2 Natural Heritage is relevant to the proposal given the site is an existing area of open space with grass and some trees. Policy NH2 relates to protected species, whilst Policy NH5 relates to habitats, species or features of natural heritage importance. Natural Heritage in the SPPS is set out at pages 80 – 85. Policy requirements essentially repeat the provisions of PPS2 and accordingly no conflict arises.

9.8 PPS3 refers roads, access and parking considerations and is a material consideration in that any proposals must make necessary provisions for such matters. Car parking and servicing requirements are set out at Policy AMP7, with design considerations set out at AMP9. Transportation considerations in the SPPS are set out at pages 106-110. Policy requirements essentially repeat the provisions of PPS3 and accordingly no conflict arises.

9.9 The principle of the development of at this location

The proposal is for a community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no. classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking. Given the proposal retains recreational use it is considered in accordance with the requirements of Policy OS1. As the proposal replaces an existing pitch plus 2 new MUGA pitches there will be an increase in open space/recreational area within the site. Access is proposed through the privately owned car park to the front of the site with upgraded visibility splays required. An objection was received from an adjacent landowner stating that the red line of the proposed site shows an incursion onto their land ownership. A planning application can be made on land outside the applicant's ownership provided notice is served on the landowner. The objection was forwarded to the applicant and the applicant subsequently served notice on the adjoin landowner and an amended P1 form was submitted to reflect this. This meets planning requirements. It is considered that the proposals, which will provide enhanced recreational facilities, are on balance acceptable.

9.10 Visual impacts of the proposal

Policy OS4 of PPS8 requires that buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment.

9.11 The 3G pitch and MUGAs would have a negligible visual impact on the locality. Public views of the surface would read as green space/playing surface. The associated fencing and in particular floodlights would have a greater visual impact. However, public views of such structures would largely be limited to near distance views from Rosgoill Park and Hillhead Cottages. A large number of new trees are proposed on both of these boundaries however which will aid integration. The community hub and pre nursery structures would have no greater visual impacts than the existing building on site. All buildings and structures are of a scale and character that would be reasonably expected at a sports facility. The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. On balance, the proposal would not result in adverse visual impacts.

The proposals include the erection of 2.5m high wooden noise barriers adjacent to the southern boundary of the site. The applicant has submitted elevations and cross-sections which demonstrate that there will be no adverse visual impact on residential amenity. It is proposed that the barriers are set back from the site boundary behind peripheral landscaping and on this basis they will not appear visually dominant from the rear gardens of dwellings adjoining the site. It is proposed that include a planning condition requiring that the noise barrier is painted green to minimise its visual impact.

9.12 Impact on amenity / character of the area

The application has attracted objections on grounds that the proposal would detrimentally impact amenity due to noise and light disturbance. Policies OS4 and OS7 of PPS8 require consideration of these issues. Policy OS4 requiring proposals to ensure there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated.

9.13 In assessing these impacts, Environmental Health (EH) has been consulted with noise and lighting assessments submitted by the applicant. At the time of writing, a formal response from EH is outstanding, however, we have received an informal response. In relation to floodlights, EH has no objection subject to conditions preventing the operation of the floodlights after 10pm and that the applicant submits a verification report to demonstrate that the vertical lux levels are in compliance with guidance published by the Institute of Lighting Professionals (ILP). With regard to noise, EH has informally indicated that it would require by condition that the noise mitigation barriers are installed and a verification report submitted to confirm that it is installed in line with the submitted details. EH is concerned by potential noise levels at the site especially as the improvements allow the facilities to be used for extended times with the introduction of floodlighting and artificial surfaces. Accordingly, EH has advised that even with the noise barriers in place it requires conditions to limit the hours of use of the facilities. The 3G pitch shall only operate between 0800 – 2130 Monday – Friday and 0900-2130 at weekends; the Ball Wall and MUGAs shall only operate between 0900-1900 Monday-Friday and 1000-1900 at weekends. The formal EH response is awaited and the applicant has not had the opportunity to consider the proposed conditions. Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of the hours of use conditions.

9.14 Impact on the natural environment

Policy OS4 requires that there is no adverse impact on features of importance to nature conservation, archaeology or built heritage. The site is not located within a Conservation Area, Area of Townscape Character, or within an area of archaeological interest. The existing building on the site was initially assessed as having potential to host roosting bats. However further surveys found no evidence of roosting bats within the building and overall bat activity across the site was low. Whilst acknowledging receipt of the Preliminary Ecological Appraisal, Bat Emergence and Activity Survey and the Floodlighting Assessment, NED stated they had no concerns regarding the proposed development having a significant impact on bats and other natural heritage interests.

9.15 NED were subsequently re-consulted due to concerns that Japanese Knotweed may be present on the site. They stated as the application site does not comprise any priority habitats, nor is it hydrologically connected to any designated sites, it considers if Japanese Knotweed is present on site it is unlikely to significantly impact any natural heritage interests. If the application is approved, an informative would be attached to the decision notice highlighting procedures for dealing with this invasive species if found on the site.

9.16 Flood Risk

Policy OS4 requires satisfactory arrangements for drainage to be provided, and specific drainage/flood risk policy is set out in PPS15. A drainage assessment and associated information was submitted for consideration and consultation undertaken with Rivers Agency and NI Water in relation to these matters. Both consultees are satisfied with the mitigation measures proposed and it is therefore considered that the proposal complies with policy and acceptable drainage and flood risk protections measures are proposed.

9.17 Other environmental matters

NIEA cited concern over the potential impact on sewage loading to Belfast waste water treatment works (WWTW). However, NI Water have confirmed that there is available capacity within the WWTW and as such no objection is raised.

9.18 A Preliminary Risk Assessment was submitted relating to the risk of contaminated land on the site. BCC Environmental Health were satisfied with the findings of this.

9.19 Pre-Community Consultation

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 applicants for planning permission to consult the community in advance of submitting an application.

9.20 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. LA04/2017/1854/PAN was submitted to the Council on 02/08/17 and was deemed to be acceptable on 16/08/17. 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.

9.21 Conclusion

The proposal is considered to be in compliance with the development plan.

9.22 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions. Should members agree with the recommendation to approve, delegated authority is requested for the Director of Planning and Building Control to finalize the wording of conditions.

10.0 Summary of Recommendation: Approval with conditions

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not become operational until the vehicular access has been constructed in accordance with the approved access Drawing No. No. 16 Proposed Access Plan published by the Belfast City Council Planning Office on 05 September 2018. The area within the visibility splays shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.

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

3. The development hereby permitted shall not become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No 16 Proposed Access Plan published by the Belfast City Council Planning Office on 05 September 2018 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.

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

4. A minimum of 12 No. cycle parking spaces shall be provided and permanently retained close to the accesses to the proposed development for use by visitors to the development.

Reason: to encourage the use of alternative modes of transport for development

5. The development hereby permitted shall operate in accordance with the approved Travel Plan Framework published by the Belfast City Council Planning Office on 05 September 2018. This will include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors, to be agreed by DfI Roads.

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

6. As part of site clearance works, all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Guidance on Pollution Prevention No. 2 (GPP2). Soil and groundwater sampling shall be undertaken for a suitable analytical suite. Should contamination be identified the requirements of Condition 7 will apply.

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

7. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the 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 and verified to its satisfaction.

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

8. After completing all remediation works under Condition 6 and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with the 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 work undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

9. Notwithstanding the submitted details, prior to operation of the hereby approved facilities, the noise barrier shall be painted green in colour or as may be agreed in writing with the Council.

Reason: In the interest of visual amenity.

ANNEX	
Date Valid	11th January 2018
Date First Advertised	26th January 2018
Date Last Advertised	7th February 2020
Details of Neighbour Notification (all addresses) 1 - 8 Shaws Road, Hillhead Cottages,Belfast,Antrim,BT11 9PQ, 10 - 48 Rosgoill Park,Belfast,Antrim,BT11 9QS, 2 Shaws Road, Hillhead Cottages,Belfast,Antrim,BT11 9PQ, 249, Lisburn Road, Belfast, Malone Lower, Antrim, Northern Ireland, BT9 7EN 3 Malone Park, Belfast, Antrim, Northern Ireland, BT9 6NH 4, Hillhead Cottages, Belfast, Antrim, Northern Ireland, BT11 9PQ 52 – 61 Greenan,Belfast,Antrim,BT11 8LX, 74a ,Shaws Road,Belfast,Antrim,BT11 9QJ, 74b ,Shaws Road,Belfast,Antrim,BT11 9QJ, 76 Shaws Road,Belfast,Antrim,BT11 9QJ, 76a ,Shaws Road,Belfast,Antrim,BT11 9QJ, 82- 94 Shaws Road,Belfast,Antrim,BT11 9QR, St Pauls Gaa Club,98a ,Shaws Road,Belfast,Antrim,BT11 9QR,	
Date of Last Neighbour Notification	30/01/20
Planning History Ref ID: LA04/2018/2930/F Proposal: Erection of a spectator stand (with 150 seats, 2 wheelchair spaces with associated access facilities) Address: O'Donovan GAC, Rossa Park, 76 Shaw's Road, Belfast, BT11 9QJ., Decision: PG Decision Date: 08.03.2019 Ref ID: LA04/2017/1109/PAN Proposal: Community Hub, Pre-nursery Building, grass Gaelic Pitch, 3G pitch, 2no floodlit MUGAs, small outdoor play area, landscaping and associated car parking Address: Rossa Park, Shaws Road, Belfast, BT11 9QJ, Decision: PANACC Decision Date: Ref ID: LA04/2018/0022/F Proposal: Community, cultural and sporting hub for the Upper Andersonstown area incorporating; a community hub building accommodating a multi-functional hall, handball court, fitness suite, health and well-being suite and associated ancillary accommodation. Replacement of floodlit grass pitch with floodlit synthetic pitch. Two floodlit multi-use games areas. Pre-nursery building housing 1 no.classroom and a small outdoor play area, landscaping and a new footpath link from the Shaw's Road, noise barriers and associated car parking Address: Rossa Park, Shaw's Road, Belfast, BT11 9QJ,	

Decision:
Decision Date:

Ref ID: LA04/2017/1224/PAN

Proposal: New Community, cultural and sporting hub for the Upper Andersonstown Area, incorporating:

Community hub building accommodating a multi-functional hall, handball court, fitness and well-being suites, and associated ancillary accommodation:

Pre-nursery building housing two no classrooms and ancillary accommodation

Replacement of a full size floodlit Gaelic football grass pitch, with a 3G pitch of the same size

Two no floodlit multi-use games (MUGAs)

A small outdoor play area adjacent to the nursery

Landscaping, a new footpath link from Shaws Road and associated car parking

Address: Rossa Park, Shaws Road, Belfast, BT11 9QJ,

Decision: PANACC

Decision Date:

Ref ID: LA04/2017/1854/PAN

Proposal: New community, cultural and sporting hub for the Upper Andersonstown Area, incorporating:

1. Community hub building accommodating a multi-functional hall, handball court, fitness and well-being suites, and associated ancillary accommodation;
2. Pre nursery building housing two No. classrooms and associated ancillary accommodation.
3. Replacement of a full size floodlit Gaelic football pitch, with a 3G pitch of the same size;
4. Two No. floodlight multi-use games areas (MUGAs);
5. A small outdoor play area adjacent to the nursery.
6. Landscaping, a new footpath link from Shaws Road and associated car parking.

The site area is 2.37ha.

Address: Rossa Park, Shaws Road, Belfast, BT11 9QJ,

Decision: PANACC

Decision Date:

Ref ID: LA04/2019/2943/F

Proposal: Fence and gates.

Address: 94 Shaws Road, Belfast, BT11 9PR.,

Decision:

Decision Date:

Ref ID: Z/2013/0073/F

Proposal: Environmental improvement scheme to include shop frontage upgrade, resurfacing, rationalising parking, boundary treatments, soft planting and lighting.

Address: 78-94 Shaws Road, Belfast, BT11,

Decision: PG

Decision Date: 17.01.2014

Ref ID: Z/1998/2573

Proposal: Single storey extension to side and rear of existing dwelling.

Address: 20 ROSGOILL PARK, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1986/2325

Proposal: Erection of detached house with integral garage

Address: SITE 2, SHAWS ROAD DEVELOPMENT, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1996/2659

Proposal: Construction of 19 dwellings and associated external works

Address: 1-8 HILLHEAD COTTAGES SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1997/2276

Proposal: Change of house type to 1 of 19 dwellings approved under Z/96/2659

Address: 1-8 HILLHEAD COTTAGES, SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: LA04/2015/0031/F

Proposal: A single storey extension to the rear to provide a bedroom, shower room and lobby

Address: 76 Shaw's Road, Belfast, BT11 9QJ,

Decision: PG

Decision Date: 23.06.2015

Ref ID: Z/1999/2376

Proposal: Erection of team changing rooms and addition of exit lobby to existing clubroom.

Address: ST PAULS GAC, SHAWS ROAD, BELFAST, BT11

Decision:

Decision Date:

Ref ID: Z/2003/1205/F

Proposal: Extension to existing shop and storage area.

Address: Hillhead Shopping Centre, Shaws Road, Belfast, BT11

Decision:

Decision Date: 07.01.2004

Ref ID: Z/2006/0667/F

Proposal: Development comprising 9 no. retail units, 10 no. office units and 35 no. apartment units over 5 floors plus semi basement (amended scheme).

Address: 78-81 Shaws Road, Belfast, BT11 9PS

Decision:

Decision Date: 28.05.2008

Ref ID: Z/1991/2952

Proposal: Extension and alterations to bookmakers premises

Address: 94 SHAWS ROAD BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1998/2085

Proposal: Change of part of existing ground floor retail unit to hot food carryout.

Address: UNIT 2, HILLHEAD SHOPPING CENTRE, SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/2002/1773/F

Proposal: Extension to existing shop & storage area

Address: Shaws Road Hill Head Shopping Centre Belfast

Decision:

Decision Date: 10.09.2002

Ref ID: Z/1976/0342

Proposal: ERECTION OF PUBLIC HOUSE

Address: SHAWS ROAD

Decision:

Decision Date:

Ref ID: Z/1985/0796

Proposal: ERECTION OF TAXI OFFICE

Address: VACENT SITE AT HILLHEAD SHOPPING COMPLEX, SHAWS ROAD

Decision:

Decision Date:

Ref ID: Z/1991/2683

Proposal: Change of use from store to taxi booking office

Address: UNIT 1A BROOKE PARK SHOPPING CENTRE BROOKE PARK, BELFAST BT10

Decision:

Decision Date:

Ref ID: Z/1995/2115

Proposal: Subdivision of existing taxi depot to create taxi depot and hot food carryout

Address: 1A HILLHEAD SHOPPING CENTRE SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1986/1561

Proposal: TAXI OFFICE

Address: HILLHEAD SHOPPING COMPLEX SITE, SHAWS ROAD, BT11

Decision:

Decision Date:

Ref ID: Z/1998/2601

Proposal: Extension to taxi depot office

Address: 98C SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1995/2240

Proposal: Display of illuminated signage

Address: 1A HILLHEAD SHOPPING CENTRE, SHAWS ROAD, BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1994/2394

Proposal: Construction of 2 dwellings

Address: LAND TO THE SIDE OF 8 HILLHEAD COTTAGES SHAWS ROAD BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1974/0965

Proposal: ERECTION OF CLUB HOUSE AND DRESSING ROOMS

Address: STEWARTSTOWN PARK (SPORTS GROUND)

Decision:

Decision Date:

Ref ID: Z/2000/0465/F

Proposal: 2 No.40 metre long by 10.8 metre high nets to provide ball stops at existing playing fields.

Address: 25A Stewartstown Avenue, Belfast

Decision:

Decision Date: 09.06.2000

Ref ID: Z/1986/1310

Proposal: HOUSING DEVELOPMENT

Address: SHAWS ROAD, LAND APPROX 100 METRES TO REAR OF HILLHEAD AVENUE, BT11

Decision:

Decision Date:

Ref ID: Z/1985/1577

Proposal: CONSTRUCTION OF NEW HOUSING DEVELOPMENT

Address: SHAWS ROAD

Decision:

Decision Date:

Ref ID: Z/1990/2764

Proposal: Erection of 2 storey dwelling

Address: SITE ADJACENT TO NO 12 ROSGOILL SHAWS ROAD BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1988/3336

Proposal: Erection of 2 storey block of 8 apartments

Address: SHAWS ROAD HOUSING DEVELOPMENT (TO REAR OF HILLHEAD COTTAGE)
BELFAST BT11

Decision:

Decision Date:

Ref ID: Z/1987/0456

Proposal: Housing Developement (Phase 2)

Address: SHAWS ROAD BELFAST

Decision:

Decision Date:

Ref ID: Z/2004/1167/F

Proposal: New detached garage

Address: 44 Rosgoill Park, Belfast, BT11 9QS

Decision:

Decision Date: 09.07.2004

Ref ID: Z/2006/1363/F

Proposal: First floor extension to side of dwelling.

Address: 36 Rosgoill Park, Ballymoney, Belfast, Northern Ireland, BT11 9QS

Decision:

Decision Date: 07.08.2006

Ref ID: Z/2005/0068/F

Proposal: Erection of single-storey extension to front of existing dwelling (amended description).

Address: 26 Rosgoill Park, Belfast. BT11 9QS

Decision:

Decision Date: 11.03.2005

Ref ID: Z/2002/2315/F

Proposal: Sun room to rear of dwelling.

Address: 26 Rosgoill Park Belfast BT11 9QB

Decision:

Decision Date: 30.01.2003

Ref ID: Z/2014/1254/F

Proposal: Single storey extension to the rear of dwelling.

Address: 74A Shaw's Road, Belfast, BT11 9QJ,

Decision: PG

Decision Date: 27.11.2014

Ref ID: Z/2014/0177/F

Proposal: Single storey extension to rear and alterations to front elevation

Address: 44 Rosgoill Park, Belfast, BT11 9QU,

Decision: PG

Decision Date: 15.05.2014

Notification to Department (if relevant)

Date of Notification to Department: N/A

Response of Department: N/A