

Public Document Pack

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



**Belfast
City Council**

8th February, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 14th February, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

- 7 (a) LA04/2021/1672/O Outline planning permission (with all matters reserved) for mixed use development on Sites A, B, C, D. Comprising up to 7,710 sqm GEA mixed use to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units on Site A, up to 6,980 sqm GEA of Hotel (C2) floorspace on Site B, the erection of a multi-storey car park comprising of up to 231 spaces (4,130 sqm GEA) and up to 7,130 sqm GEA of employment or community (A1 or A2 or B1 or B2) floorspace on Site C and up to 1,110 sqm GEA mixed use to include residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise (A1 or A2 or B1 or B2 or D1) floorspace on Site D.

Outline planning permission (with no matters reserved) for the erection of 94 residential dwellings (social housing). Comprising of 44 residential units on Site A and 50 residential units on Site D/NIE. Access to be provided from Raphael Street and Stewart Street respectively. Along with the provision of landscaping, parking, public open space, pumping station and associated works. Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south (Pages 1 - 52)

- 7 (h) LA04/2020/2105/F Residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works, 1-5 Gaffikin Street, Belfast. (Pages 53 - 66)

Addendum Report Development Management Report Committee Application

Summary	
Committee Meeting Date: 14 th February 2023	
Application ID: LA04/2021/1672/O	
<p>Proposal: Outline planning permission (with all matters reserved) for mixed use development on Sites A, B, C, D. Comprising up to 7,710 sqm GEA mixed use to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units on Site A, up to 6,980 sqm GEA of Hotel (C2) floorspace on Site B, the erection of a multi-storey car park comprising of up to 231 spaces (4,130 sqm GEA) and up to 7,130 sqm GEA of employment or community (A1 or A2 or B1 or B2) floorspace on Site C and up to 1,110 sqm GEA mixed use to include residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise (A1 or A2 or B1 or B2 or D1) floorspace on Site D.</p> <p>Outline planning permission (with no matters reserved) for the erection of 94 residential dwellings (social housing). Comprising of 44 residential units on Site A and 50 residential units on Site D/NIE. Access to be provided from Raphael Street and Stewart Street respectively. Along with the provision of landscaping, parking, public open space, pumping station and associated works.</p>	<p>Location: Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.</p>
Referral Route: Major development.	
Recommendation: Approval subject to conditions and a Section 76 planning agreement	
<p>Applicant Name and Address: Belfast City Council and Radius Housing</p>	<p>Agent Name and Address: AECOM 10th Floor Clarence West Building 2 Clarence Street West Belfast BT2 7GP</p>

Addendum Report:

Background

The Committee should read this addendum report in conjunction with the original Committee report to the meeting on 27th June 2022, appended (**Appendix 3**).

This application was previously considered by the Planning Committee at its meeting of 27th June 2022. The Committee resolved to approve the application, granting delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 Planning Agreement and resolve any outstanding issues. However, the Council had to first notify the application to the Department for Infrastructure, in accordance with the Planning (Notification of Applications) Direction 2017.

The Council was required to notify the Department as a significant objection had been submitted to the application from DfC Historic Environment Division.

The Department was notified of the application on 25th July 2022. Following a request for further information from the Council, the Department issued its formal response to the notification on 7th February 2023, confirming that it does not consider it necessary for the application to be referred to it for determination. It concluded that the application does not raise issues of such importance that their impact is considered to extend to a sub-regional or regional level, and the circumstances of the case are not exceptional such as to warrant the use of the Department's "call in powers".

The Department has therefore referred the application back to the Council to determine.

A Pre-Determination Hearing is required to be undertaken in accordance with the regulations and this is scheduled before the Committee meeting.

Updated Assessment

Since the previous Committee report, a final set of draft conditions has been drafted in discussion with the applicant. These are detailed in **Appendix 1**, below. A revised Travel Plan has been received with subsequent consultation response from DFI Roads. Final consultation responses have also been received from DAERA NIEA, NI Water and Environmental Health. Clarification has been provided from the agent on the proposed residential parking ratio and on the specific uses within the mixed use buildings on Sites A and D. As reported to at the previous Committee meeting, a total of 265 letters of representation have been received.

Amended Travel Plan:

- An amended Travel Plan was submitted on 6th October 2022, reflecting the 1 year Travel Card contribution (as presented in the previous Committee report), as opposed to the 3 years previously requested by DFI Roads.
- DFI Roads has considered this revised Travel Plan and responded on 18th October 2022. DFI Roads has reiterated its previous position that the green measures offered within the above Travel Plan are insufficient, namely the Travel Card contribution. DFI Roads are of the opinion that a three year contribution is necessary, as opposed to one year as proposed. However, as previously reported, officers advise that a 1 year Travel Card contribution is appropriate given the highly central and sustainable location of the site. This is not considered to be a significant objection.

Officers advise that although this is an outline application, the detailed elements (namely those associated with the 94 residential units on Sites A and D/NIE) are the subject of a private streets layout and thus require private streets determination. Officers have requested that DFI Roads provide PSD and any other additional conditions. Delegated is sought for the Director of Planning and Building Control to finalise the wording of the conditions.

Environmental Health Response

- A final substantive response has been received from Environmental Health further to submission of additional noise information and contaminated land report.
- Environmental Health recommends that windows in habitable rooms on all residential units within Site A are capable of achieving a desired level of sound reduction and providing alternative means of ventilation. It notes previously recommended sound reduction specification for windows of bedrooms and living rooms as well as sound reduction specification of alternative means of ventilation at houses within Site D.
- It recommends acoustic fencing for all garden areas to the rear of dwellings in Sites A and D.
- The proposed foundations and floor construction of dwellings on Site D will mitigate against potential adverse vibration effects associated with the train movements on the railway line.
- In terms of the updated contaminated land report, Environmental Health recommends that a capping layer is incorporated to control the upward movement of mobile contaminants. Details to be provided in Remediation Implementation Plan, which should also include gas and vapour protection measures.

The conditions to address these issues are provided in **Appendix 1**.

DAERA NIEA Response

- A final substantive response has been received from DAERA NIEA following submission of the updated contaminated land report.
- DAERA NIEA offers no objections subject to conditions relating to groundwater monitoring and identification and remediation of any unacceptable risks.

Conditions are included in **Appendix 1**.

NI Water Response

- A final substantive response has been received from NI Water confirming withdrawal of its previous objection. It provides confirmation that a storm water off-setting solution has been agreed. The developer will lay separate foul and storm sewers onsite. The re-development will see areas of hardstanding currently draining to the combined sewer diverted to a dedicated storm system.

NI Water has also requested the inclusion of a Grampian condition confirming that properties cannot be occupied until after 1 July 2023 (the date when additional treatment capacity will be available at Belfast WWTW). However, officer's advise that such a condition is not necessary as the development will not be ready for occupation within such a short timeframe.

Other Updates

The following further late items were raised at the 27th June 2022 Planning Committee meeting.

- Clarification of uses within mixed use buildings – the applicant has sought to clarify that the proposed uses within mixed use buildings on Sites A and D include community related uses, as referenced in the plans at **Appendix 2**, below.
- Clarification of residential parking ratio – clarification provided by applicant that the parking ratio would be 0.63 spaces/residential unit. This is considered acceptable in view of the highly central and sustainable location of the site, and provision of green travel measures.
- 265 representations letters received, including support for:
 - Housing and 'social components' within Sites A and D
 - Community Infrastructure
 - New connections with wider city

However, concerns have also been raised with regard to how the proposed uses on Sites B and C will be agreed and operated. Officers advise that these elements form the more indicative parts of the proposal with all matters reserved. How these uses will operate will be detailed and assessed at reserved matters stage. The uses will be as set out in the outline planning permission, if granted, and the buildings will be required to fall within the height parameters set out in the submitted design code.

Conclusion

In conclusion, the recommendation remains to approve the application for the reasons set out in the original report to the 27th June 2022 Planning Committee and this addendum report.

It is recommended that planning permission is granted subject to conditions and that the necessary developer contributions being sought through a legal agreement between the Council as landowner and the developer/s when the site is leased/disposed of. For the avoidance of doubt, it is not possible for the Council to enter into a Section 76 planning agreement with itself as explained the previous Committee report.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and legal agreement from a land-use planning perspective.

Appendix 1 – Draft Planning Conditions

TIME

1. The development hereby permitted must be begun by the following, whichever is the later.
 - Five years from the date of this permission; or
 - The expiration of two years from the date of approval of the last of the reserved matters

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

RESERVED MATTERS

2. Application/s for approval of the reserved matters in respect of all parts of the development, other than the 94 residential units across Sites A and D/NIE for which full details have been provided, shall be made to the Council within three years from the date of this permission.

Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.

3. No development shall commence on site, other than the 94 residential units across Sites A and D/NIE, unless details of the siting, design, external appearance, means of access and landscaping (herein called "the reserved matters") 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: This permission is in outline only and further details of the development are required under section 4(1) of The Planning (General Development Procedure) Order (Northern Ireland) 2015.

4. The reserved matters referred to in condition 3 above shall include the following:

Siting: the two dimensional location of buildings within the site.

Design: the two dimensional internal arrangement of buildings and uses and the floor space devoted to such uses, the three dimensional form of the buildings and the relationship with their surroundings including height, massing, number of storeys, general external appearance and suitability for the display of advertisements.

External appearance of the Buildings: the colour, texture and type of facing materials to be used for external walls and roofs.

Means of Access: the location and two dimensional design of vehicular and pedestrian access to the site from the surroundings and also the circulation, car parking, facilities for the loading and unloading of vehicles and access to individual buildings within the site.

Landscaping: the use of the site not covered by buildings and the treatment thereof including the planting of trees, hedges, shrubs, grass, the laying of hard surface areas, the formation of banks, terraces or other earthworks and associated retaining walls, screening by fencing, walls or other means, the laying out of gardens and the provisions of other amenity features.

Reason: To enable the Council to consider in detail the proposed development of the site.

MATERIALS

5. No external facing or roofing materials shall be applied to the 94 residential units across Sites A and D/NIE unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

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

CONTAMINATED LAND

6. Prior to the commencement of construction of the approved residential units on the areas of Sites A and D/NIE as defined on Drawing No. XX dated XX, a Remediation Implementation Plan shall be submitted to and approved in writing by the Council. This Remediation Implementation Plan should be based on the remediation proposals outlined in the AECOM Infrastructure & Environment UK Ltd report entitled 'Remediation Strategy, Belfast Gasworks, Radius Housing, Project number: 60635685, 9 November 2021' (Revision 0). The Remediation Implementation plan should be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance and must provide the final detail of the remediation works to be completed on the site and how they are to be verified. The development shall not be carried out unless in accordance with the approved Remediation Implementation Plan.

Reason: Protection of human health.

7. Prior to the occupation of any of the 94 residential units on Sites A and D/NIE as referred to in Condition No. 6 above, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall 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 Implementation Plan have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

8. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. 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 submitted to and approved in writing by the Council, 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.

9. At reserved matters stage a Detailed Remediation Strategy for the hotel, car park, commercial building and any of the mixed use buildings (on sites A and D/NIE) shall be submitted to and agreed in writing by the Council. This Detailed Remediation Strategy should consider the risk assessment presented within the AECOM Ltd report entitled 'Tier 2: Generic Quantitative Risk Assessment, Belfast Gasworks, Belfast City Council, Project reference: PR- 60554325_ENV_ACM_RP_003_05, Project number: 60554325, 03 November 2021' (Revision 05). The Detailed Remediation Strategy should be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance and must provide the final detail of the remediation works to be completed on the

site and how they are to be verified. All construction thereafter must be in accordance with the approved Detailed Remediation Strategy.

Reason: Protection of human health.

10. Prior to occupation of the hotel, car park, commercial building or any of the mixed use buildings (on sites A and D/NIE), a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Detailed Remediation Strategy have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of Human Health.

11. No development shall commence until the applicant has submitted a groundwater monitoring plan for the development works to the Council for its agreement. The groundwater monitoring plan should include:
 - Groundwater monitoring locations down hydraulic gradient of the areas of groundwater contamination,
 - Groundwater quality parameters and substances relevant to the contamination detected at the site,
 - Limits of detection for the laboratory analysis of samples,
 - A schedule of the monitoring proposed prior, during and post development works.

If potential unacceptable risks to receptors are identified Conditions Nos. 21 and 22 will apply.

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

12. After completing any remediation works under Conditions 6 and 8; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>.

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. The report must also contain groundwater monitoring results.

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

AIR QUALITY

13. At reserve matters stage an air quality impact assessment shall be submitted to and approved by the Council. The assessment should have regard to recent up-to-date guidance and best practice for air quality, such as Local Air Quality Management Technical Guidance document LAQM.TG(16) and Environmental Protection UK and the Institute of Air Quality Management, Land-use Planning & Development Control: *Planning For Air*

Quality (January 2017). The assessment must demonstrate that there will be no significant adverse air quality impacts or exceedances of Air Quality Strategy objectives at relevant human receptor locations, associated with the development.

Where exceedances of air quality objectives are identified at relevant human receptor locations, the AQIA shall include appropriate mitigation measures to demonstrably achieve compliance with the objectives in the development year of opening.

Reason: Protection of human health against adverse air quality impact.

CONSTRUCTION MANAGEMENT

14. No development shall commence on sites A and D/NIE as shown on Plan No. XX dated XXXXXX (including demolition, site clearance and site preparation) unless an Environmental Construction Management Plan (CEMP) has been submitted to and approved in writing by the Council. The Environmental Construction Management Plan shall include measures to control noise, dust, vibration and other nuisance during the demolition/construction phase. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Environmental Construction Management Plan. 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.

The dust management measures shall be based on the dust risk assessment and recommendations detailed by AECOM Consultants within Chapter 6 of the Air Quality Screening Report (June 2021) and have cognisance to good practice contained within the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014.

No variations to the CEMP shall be implemented without prior written agreement of the Council and the development shall be carried out in accordance with the revised arrangements at all times.

Reason: To safeguard the amenities of the area and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

15. No development shall commence on sites the parts of Sites A and D not covered by condition No. 14, or on B and C, as shown on Plan No. XX dated XXXXXX (including demolition, site clearance and site preparation) unless an Environmental Construction Management Plan (CEMP) has been submitted to and approved in writing by the Council. The Environmental Construction Management Plan shall include measures to control noise, dust, vibration and other nuisance during the demolition/construction phase. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Environmental Construction Management Plan. 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.

The dust management measures shall be based on the dust risk assessment and recommendations detailed by AECOM Consultants within Chapter 6 of the Air Quality Screening Report (June 2021) and have cognisance to good practice contained within the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014.

No variations to the CEMP shall be implemented without prior written agreement of the Council and the development shall be carried out in accordance with the revised arrangements at all times.

Reason: To safeguard the amenities of the area and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

NOISE MITIGATION

16. At reserve matters stage, development-specific noise assessments, for all aspects of the proposal with all matters reserved on sites A and D (sub-areas), B and C as shown on Plan No. XX dated XXXXXX), shall be submitted detailing the baseline noise conditions and identifying any potential noise generating sources associated with the proposals. Suitable mitigation measures shall be recommended for each subsequent block within each phase of development.

Reason: Protection against adverse noise impact and protection of residential amenity.

17. Prior to installation of windows within the hereby approved residential units of site A as defined on Plan No. XX dated XX, the applicant shall submit to the Council, for review and approval in writing, the final window schedule. The schedule shall detail the selected window configuration and sound reduction performance (both in terms of the Rw and Rw+Ctr) proposed for habitable rooms on all facades of residential units. The window specification for habitable rooms shall be capable of achieving a minimum sound reduction of 25dB_{Rw+Ctr} as determined by acoustic consultant FR Mark & Associates. The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse noise impact and protection of residential amenity.

18. Prior to installation within the hereby approved residential units within Site A as defined on Plan No. XX dated XX, the applicant shall submit to the Council, for review and approval in writing, confirmation of the acoustic specification of the proposed alternative means of ventilation. The specification for the chosen means of alternative ventilation shall demonstrate that the use of the alternative means of ventilation, when open (in the case of acoustically attenuated vents) or, when operating (in the case of mechanical means of ventilation), will not compromise the recommended internal noise levels of habitable rooms during the day and at night as outlined in British Standard BS8233:2014. The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse noise impact and protection of residential amenity.

19. Prior to installation of windows within the hereby approved residential units within site D/NIE as defined on Plan No. XX dated XX, the applicant shall submit to the Council, for review and approval in writing, the final window schedule. The schedule shall detail the selected window configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of residential units. The window specification shall be capable of achieving a minimum sound reduction of 24dB_{Rw+Ctr} in living rooms and 21dB_{Rw+Ctr} and 34dB_{Rw} in bedrooms as determined and presented on page 29, table 12 of the FR Mark & Associates 'Noise and Vibration' chapter submitted in support of the proposed Outline Hybrid application (uploaded on the planning portal on the 21st July 2021). The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse noise impact and protection of residential amenity.

20. Prior to installation within the hereby approved residential units of Site D/NIE as defined on Plan No. XX dated XX, the applicant shall submit to the planning Council, for review and

approval in writing, confirmation of the acoustic specification of the alternative means of ventilation. The specification for the chosen means of alternative ventilation shall demonstrate that the alternative means of ventilation, when open (in the case of acoustically attenuated vents) or, when in the operation (in the case of mechanical means of ventilation), will not compromise the recommended internal noise levels of habitable rooms during the day and at night as outlined in British Standard BS8233:2014. The development shall be carried out in accordance with the approved details.

Reason: Protection against adverse noise impact and protection of residential amenity.

21. Prior to occupation of the residential units within site A as defined on Plan No. XX dated XX, the developer shall submit a verification report to the Council demonstrating that the window schedule and alternative means of ventilation, as approved, have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.

Reason: Protection against adverse noise impact and protection of residential amenity.

22. Prior to occupation of the residential units within site D/NIE as defined on Plan No. XX dated XX, a verification report shall be submitted to the Council demonstrating that the window schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.

Reason: Protection against adverse noise impact and protection of residential amenity.

23. Prior to occupation of any residential unit within Site A as defined on Plan No XX dated XX, a 1.83m high acoustic barrier fence of a minimum self-weight of 25kg/m², with no gaps, shall be erected along the rear boundary of those gardens at the residential units within site A as shown on the Todd Architect's drawing referenced: GSW-ACM-SW-XX-DR-LA-600001 P4 - Proposed Landscape Layout Sheet 1 'Proposed Landscape Layout – Sheet 1' Rev P4. GSW-ACM-SW-XX-DR-CT-600002 P4 - Proposed Landscape Layout Sheet 2 'Proposed Landscape Layout – Sheet 2'.

Reason: Protection against adverse noise impact and protection of residential amenity.

24. Prior to occupation of any residential unit within Site D/NIE as defined on Plan No XX dated XX, a 1.83m high acoustic barrier fence of a minimum self-weight of 25kg/m², with no gaps, shall be erected along the rear boundary of those gardens at the residential units within site A as shown on the Todd Architect's drawing referenced: GSW-ACM-SW-XX-DR-LA-600001 P4 - Proposed Landscape Layout Sheet 1 'Proposed Landscape Layout – Sheet 1' Rev P4. GSW-ACM-SW-XX-DR-CT-600002 P4 - Proposed Landscape Layout Sheet 2 'Proposed Landscape Layout – Sheet 2'.

Reason: Protection against adverse noise impact and protection of residential amenity.

25. Prior to construction of the residential units closest to the railway line within Site D/NIE (Site Nos. X-X), the applicant shall submit to the Council, for review and approval in writing, final details of the foundations and floor construction. The details shall be accompanied with a report / statement from the acoustic consultant confirming that the proposed construction will mitigate against potential adverse vibration effects associated with the train movements on the railway line.

Reason: Protection against adverse noise impact and protection of residential amenity.

26. At reserved matters stage for the hotel, car park, commercial building and any of the mixed use buildings (on sites A and D) (as shown on Plan X, dated X), site and development-specific noise assessments shall be submitted detailing the baseline noise conditions and identifying any potential noise generating sources associated with the proposals. Suitable mitigation measures shall be recommended for each subsequent block within each phase of development.

Reason: Protection against adverse noise impact and protection of residential amenity.

ARCHAEOLOGY

27. No works shall be carried out within Sites A and D/NIE as shown on Plan No. X dated XXXXXX (other than those required to fulfil this condition) until a programme of archaeological work (POW) has been submitted to and approved in writing by the Council.

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.

The development shall not be carried out within Sites A and D/NIE, unless in accordance with the approved POW.

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

28. No works shall be carried out within Sites B and D (those parts not covered by condition No. 28) as shown on Plan No. XX dated XXXX (other than those required to fulfil this condition) until a programme of archaeological work (POW) has been submitted to and approved in writing by the Council.

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.

The development shall not be carried out unless in accordance with the approved POW.

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

29. 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 Nos. X and X (above). 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.

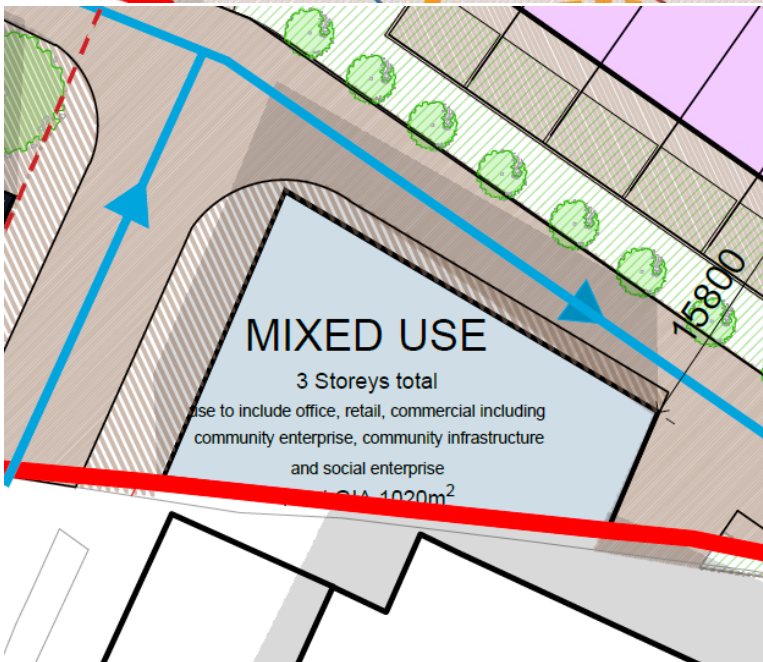
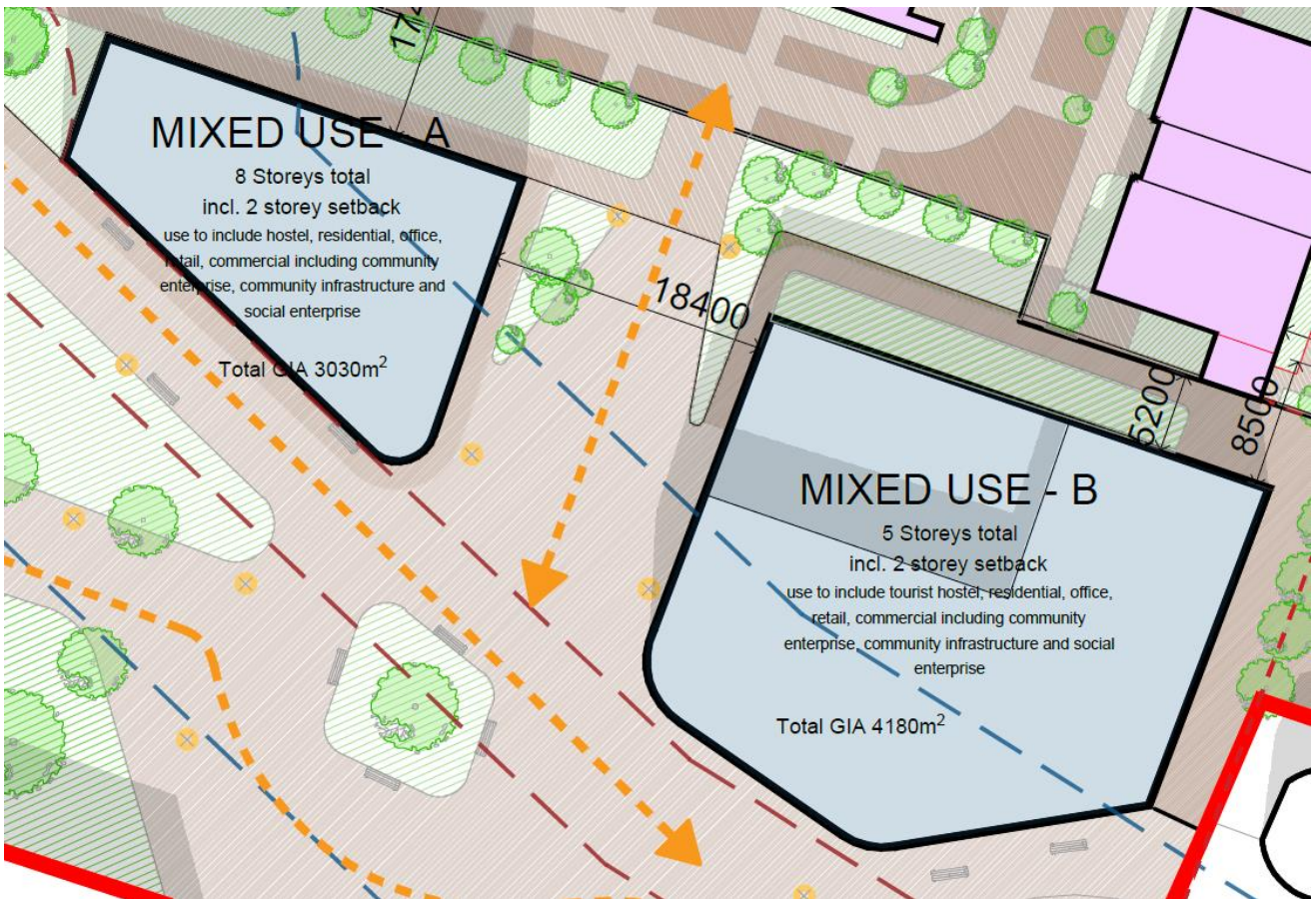
Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

30. No piling work should commence, other than those relating to detailed approval for 94 residential units on sites A and D/NIE, until a piling risk assessment, undertaken in full accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", has been submitted in writing and agreed with the Council. The methodology is available at:
<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>.

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

Appendix 2 – Plan showing mixed use buildings

Site A



Site D

Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 27 June 2022	
Application ID: LA04/2021/1672/O	
<p>Proposal: Outline planning permission (with all matters reserved) for mixed use development on Sites A, B, C, D. Comprising up to 7,710 sqm GEA mixed use to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units on Site A, up to 6,980 sqm GEA of Hotel (C2) floorspace on Site B, the erection of a multi-storey car park comprising of up to 231 spaces (4,130 sqm GEA) and up to 7,130 sqm GEA of employment or community (A1 or A2 or B1 or B2) floorspace on Site C and up to 1,110 sqm GEA mixed use to include residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise (A1 or A2 or B1 or B2 or D1) floorspace on Site D.</p> <p>Outline planning permission (with no matters reserved) for the erection of 94 residential dwellings (social housing). Comprising of 44 residential units on Site A and 50 residential units on Site D/NIE. Access to be provided from Raphael Street and Stewart Street respectively. Along with the provision of landscaping, parking, public open space, pumping station and associated works.</p>	<p>Location: Lands at the Gasworks Northern Fringe site; bounded to the north by McAuley Street Stewart Street and Raphael Street; Cromac Street to the west; the River Lagan and Belfast-Newry railway line to the east; and the Gasworks Business Park to the south.</p>
Referral Route: Application for Major development / BCC as joint applicant / BCC as landowner	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council and Radius Housing	Agent Name and Address: AECOM 10th Floor Clarence West Building 2 Clarence Street West Belfast BT2 7GP
<p>Executive Summary: This is a hybrid application seeking outline planning permission for mixed use development as described above. All matters are reserved in respect of the proposed hotel, multi-storey car park,</p>	

Class B, Class A, Class C, Class D and community uses. No matters are reserved (i.e. full details are provided) in respect of the proposed 94 residential units. The residential element is in effect an application for full planning permission, but procedurally it is an outline application.

A broad range of uses have been included in the mixed use proposals. Indicative floorplans and accommodation schedules have been provided to illustrate how the “outline elements” could be delivered to comply with the relevant planning policy framework and the proposed parameters provided on the application drawings. Outline elements include an extension to the existing Radisson Blu Hotel; a commercial building corresponding with the previously approved office block on Site C (reference: LA04/2016/2267/F); a multi-storey car park and three mixed-use buildings on Sites A and D.

The application also seeks outline planning permission (with no matters reserved) for the erection of 94 residential dwellings (social housing). Comprising of 44 residential units on Site A and 50 residential units on Site D/land owned by NIE. Access is to be provided from Raphael Street and Stewart Street respectively. Along with the provision of landscaping, parking, public open space, pumping station and associated works.

The key issues in the assessment of the proposed development are:

- Principle of development of residential and other mixed uses
- Impact on Built Heritage
- Impact on the character and appearance of the area
- Open Space Provision
- Traffic and Parking
- Impact on Amenity
- Land contamination
- Impact on Air Quality
- Noise and Odour
- Drainage and Flooding
- Waste Water Capacity
- Impact on Protected Sites
- Other Environmental Matters
- Developer Contributions
- Pre-application Community Consultation

The proposal will provide a comprehensive mixed use regeneration scheme on zoned lands within the Gasworks estate. The mix of industrial/commercial units is complimented by much needed social housing comprising 94 units, and is considered to follow the thrust of BUAP, and draft BMAP zonings for the area.

Consultation responses are summarised below.

Statutory consultees

DFC Historic Environment Division – objection
 DFI Roads – further issues need to be addressed
 NI Water – objection
 DAERA – awaiting response
 Rivers Agency – no objection
 Shared Environmental Services – no objection
 NI Transport Holding Company – no objection
 NIHE – supports the proposal

Non-statutory consultations

Environmental Health – awaiting further response
BCC Plans and Policy team – no objection
BCC Landscape Planning & Development Team – no objection
BCC City Regeneration & Development – no objection
BCC Economic Development Unit – no objection

DFC Historic Environment Division (HED) has expressed concern about the potential impact of the taller elements of the proposal on nearby listed buildings in the area. NI Water has highlighted concerns about the capacity of waste water treatment infrastructure. DFI Roads is seeking further information in terms of the submitted Travel Plan and green travel measures, including a commitment to Travel Cards, Car Club membership and Belfast Bikes membership.

One third party objection has been received, which raises issues regarding direct access from residential to non-residential uses within the site, proposed retail and potential for anti-social behaviour.

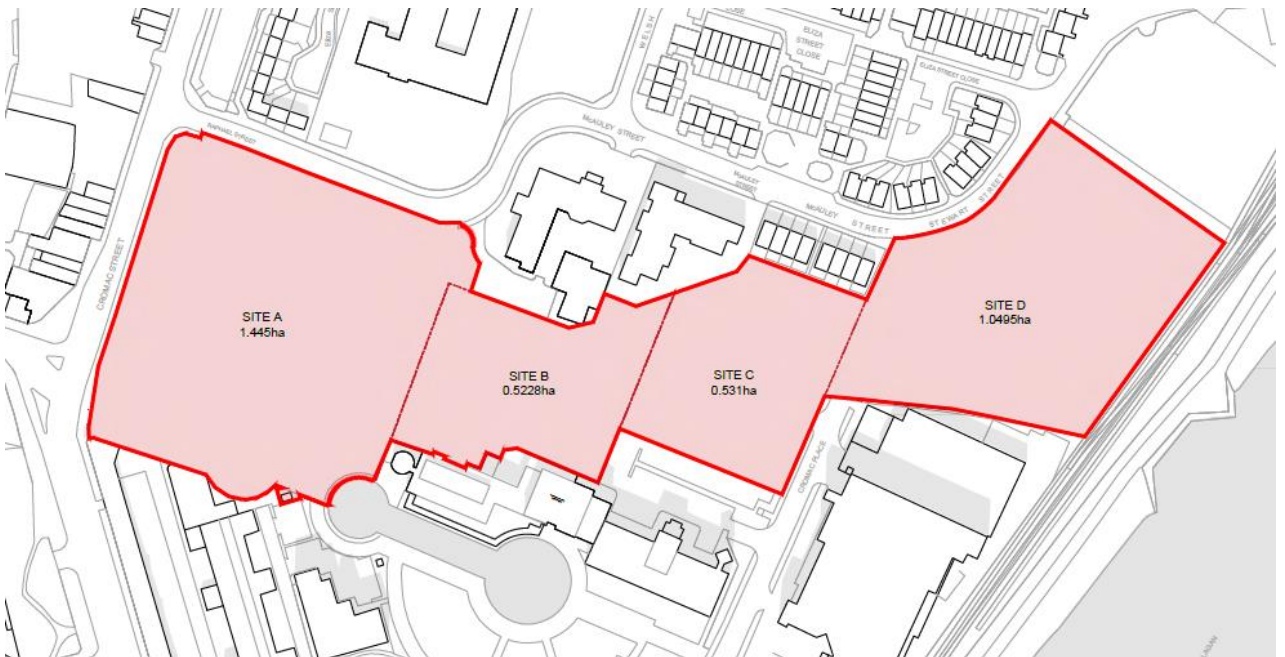
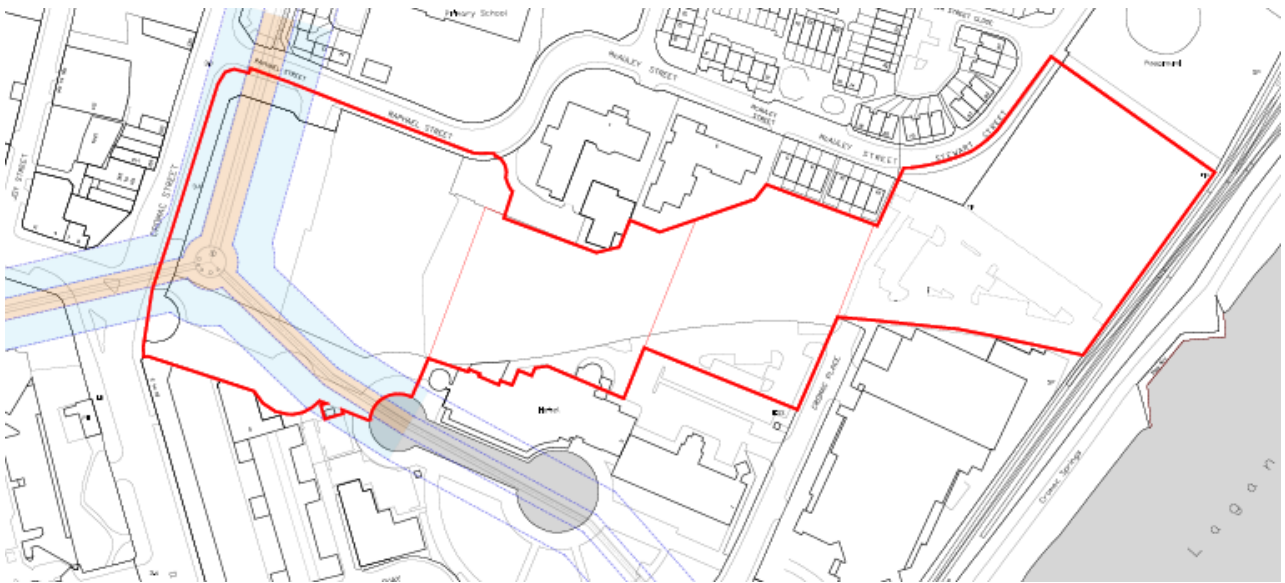
It is recommended that planning permission is granted subject to conditions and Developer Contributions being sought through a legal agreement between the Council as landowner and the developer/s when the site is leased/disposed of.

In view of the objection from DFC HED and current position of DFI Roads, the application will need to be notified to the Department for Infrastructure in accordance with the Planning (Notification of Applications) Direction 2017. Assuming that the Department does not “call in” the application, the application will then need to be subject to a Pre-Determination Hearing before further consideration by the Planning Committee.

Signature(s):

Case Officer Report

Site Location Plan and layout



The general breakdown of the scheme is described below and illustrated above:

- Site A** – Residential and Mixed Use
- Site B** – Proposed Hotel Extension
- Site C** – Commercial and Mutli-storey Car Park
- Site D** – Residential and Mixed Use



1.0 Description of Proposed Development

- 1.1 The application site is divided into four areas, defined on an overall “masterplan” as Site A, B, C and D, as illustrated above.
- 1.2 Although the application is in outline it is effectively a hybrid application, part “outline” and part “full”. The “outline elements” with all matters reserved relate to up to 7,710 sqm GEA mixed use to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units on Site A, up to 6,980 sqm GEA of Hotel (C2) floorspace on Site B, the erection of a multi-storey car park comprising of up to 231 spaces (4,130 sqm GEA) and up to 7,130 sqm GEA of employment or community (A1 or A2 or B1 or B2) floorspace on Site C and up to 1,110 sqm GEA mixed use to include residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise (A1 or A2 or B1 or B2 or D1) floorspace on Site D.
- 1.3 The “full elements” (with no matters reserved) relate to the two residential sites within the overall masterplan area, one containing 44 units and accessed off Raphael Street (Site A) and the other containing 50 units and accessed off Stewart Street (Site D).
- 1.4 A breakdown of the proposed floor space is set out below.

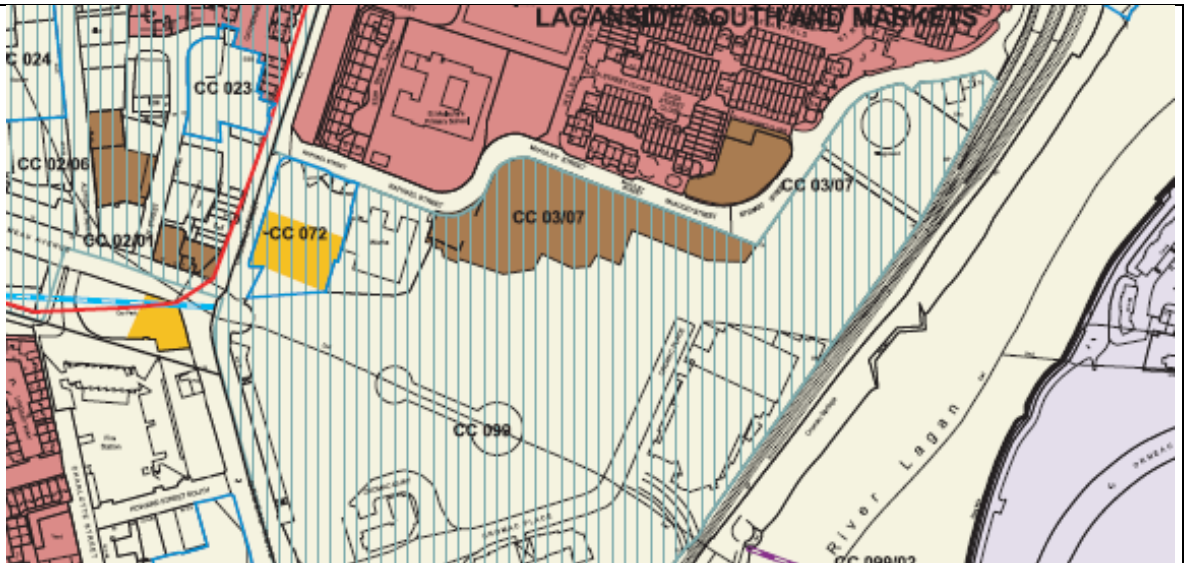
Site/Block	Use	Gross Internal Area sqm	Net Internal Area sqm
Site A/Block A	Retail	420	336
	Office	1,260	1,050
	Residential	1,350	1,086
Site A/Block B	Tourist Hostel	4,180	3,585
Site B	4 star Hotel	6,590	102 bedrooms
Site C	Multi Storey Car Park	3,990	231 spaces
	Office	6,520	5,430
Site D	Office	1,020	880
Total		25,330	

1.5	Whilst the application includes floorplans and accommodation schedules for the outline elements, these are provided for indicative purposes only. These indicate how the masterplan could be delivered. Illustrative details relating to materials, building types, and internal layouts are included within the Design Code and Design and Access Statement. Parameters plans are provided that show the maximum height of buildings.
1.6	Full details have been provided of the proposed housing in Sites A and D.
1.7	The proposal was subject to a Pre-Application Discussion although not all issues had been resolved at the point the planning application was submitted.
2.0	Description of Site
2.1	The site is previously developed (brownfield) land on the northern periphery of the city centre enclosed by roads and built form (predominantly residential to the north and commercial to the south). Cromac Street to the west leads on from Ormeau Road, and forms a junction with Ormeau Avenue. Ormeau Road is one of the main arterial routes to and from the city centre and beyond. The buildings within the Gasworks estate are located to the south of the site including Listed buildings. A railway line immediately abuts the eastern boundary of the site with the River Lagan just beyond this.
2.2	The site is relative flat and has an area of approximately 3.55 ha
2.3	Site A is a rectangular site of approximately 1.1 ha and is situated immediately adjacent to Cromac Street. It is currently used as a council staff car park and is largely enclosed by boundary mesh fencing. Housing is located to the opposite site of Raphael Street to the north. The site backs onto the Gas Works to the south.
2.4	Site B is further east and immediately to the rear of the existing Radisson hotel (6 storeys) and has an approximate area of 0.56 ha. Part of the site is currently in the hotel's demise. The current boundary to Raphael Street is comprised of metal fencing. To the north of this part of the site are 4 storey residential apartments.
2.5	Site C is located further to the east again and to the north of the existing 'Lighthouse' office building and consists partly of surface car parking and partly vacant land. It has an area of approximately 0.55 ha. To the north is three storey residential housing. Part of this site has been the subject of a recent planning approval LA04/2016/2267/F for office development, granted 15 th April 2022.
2.6	Site D currently comprises approximately 0.43ha of Council owned land, mostly used as a short stay visitors car park. The boundary to the north of this part of the site is a 2m high wall and fence which currently separates the Gasworks site from the Market residential area. An additional 0.52ha of lands owned by Northern Ireland Electricity (NIE) and is incorporated within this masterplan, separated by fencing and overgrown vegetation. The current NIE site fronts onto Stewart Street within the Market area. A play park is located to the north.
2.7	The site is not within a Conservation Officer or Area of Townscape Character. However, the Linen Conservation Area is located very close by to the west of the site, approximately 20m from its western most boundary to the other side of Cromac Street.
3.0	Relevant Planning History
3.1	Z/2001/0983/F - Reduction in car parking provision from 198 to 183 - non-compliance with condition No.2 of application Z/1999/2850/F. Permission Granted 31 st May 2001

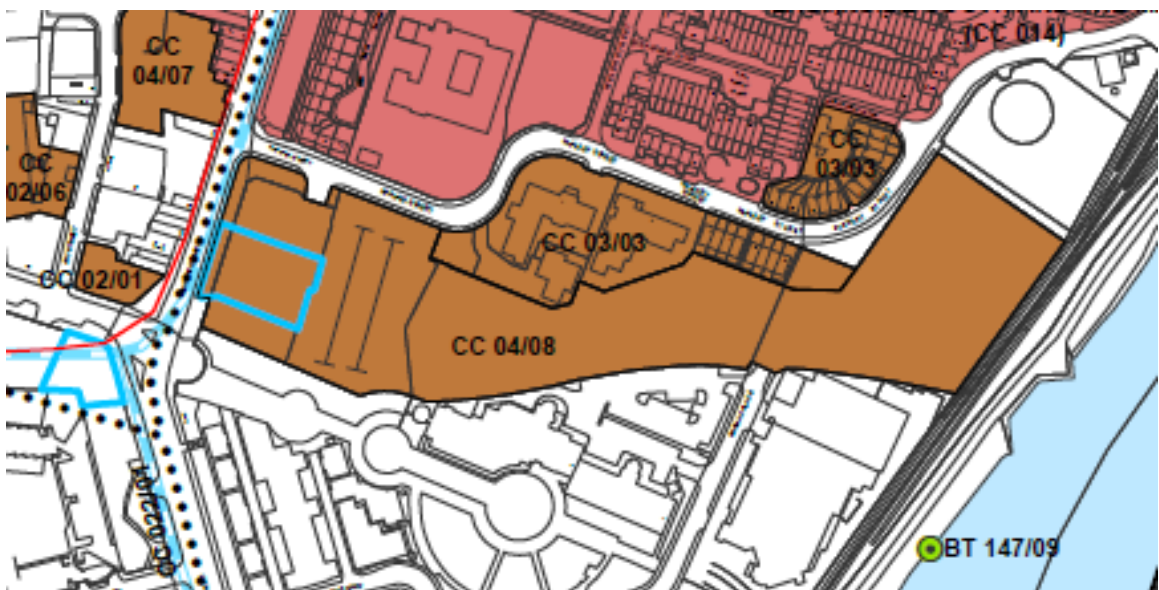
3.2	Z/2001/2500/F - Relocation of existing 109 space ancillary car park. Permission Granted 27 th April 2002.
3.3	Z/2008/0518/F - Proposed 9-storey, 169-bed courtyard hotel incorporating restaurant, bar, dry fitness, small meeting rooms, access and servicing arrangements. Permission Granted 4 th November 2010.
3.4	LA04/2016/2267/F - Erection of office building (ranging in height from four to six storeys) and associated access road, re-configuration of existing car park and ancillary works at Site C. Permission Granted 15 th April 2022.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014) Public Local Inquiry into Objections to the Belfast Metropolitan Area Plan 2015 Part 2 'Report on Belfast City Council Area' Belfast Local Development Plan 2035 Draft Plan Strategy
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland 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 7 – Quality Residential Environments Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation Planning Policy Statement 12 – Housing in Settlements Planning Policy Statement 13 – Transportation and Landuse Planning Policy Statement 15 – Planning and Flood Risk Creating Places
5.0	Statutory Consultees DFC Historic Environment Division – objection DFI Roads – further issues need to be addressed NI Water – objection DAERA – awaiting response Rivers Agency – no objection Shared Environmental Services – no objection NI Transport Holding Company – no objection NIHE – supports the proposal
6.0	Other Material Considerations The Belfast Agenda BCC's Car Parking Strategy and Action Plan (Published April 2018)
7.0	Non-Statutory Consultees Environmental Health – awaiting further response BCC Plans and Policy team – no objection BCC Landscape Planning & Development Team – no objection BCC City Regeneration & Development – no objection BCC Economic Development Unit – no objection

8.0	<p>Representations</p> <p>One third party representation has been received, expressing the following concerns.</p> <ul style="list-style-type: none"> Uncontrolled access from housing onto 'non-residential' parts of the site. <p>Officer response: The two main housing areas link into the main road and public footpath network to either end of the masterplan area on Cromac Street (Site A) and Stewart Street (Site D). The most obvious link between residential and non-residential occurs at Site A but this will ensure the residents can avail of the adjacent public realm space off Cromac Place and promote this sense of a sustainable mixed use development and avoid any obtrusive visual barrier between the two parts of the site. At Site D the link is much less obvious with a narrow pedestrian linkage from Stewart Street south to the proposed central non-residential elements. These links promote connectivity and provide much needed linkages from the site and beyond to the city centre to the west through the existing housing and River to the north and east.</p> <ul style="list-style-type: none"> Proposed retail uses and potential for anti-social behaviour particularly at night. <p>Officer response: the nature of the retail units, if delivered, including their detailed design and any necessary mitigation can be considered further at reserved matters stage. At this stage there is no objection in principle to retail units at this location as part of a comprehensive mixed use scheme.</p>
9.0	<p>PLANNING ASSESSMENT</p> <p>Development Plan Context</p> <p>9.1 Section 45 (1) of the Planning Act (NI) 2011 requires the Council to have regard to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p> <p>9.2 Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan. However, given the stage at which the Draft Belfast Metropolitan Area Plan (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. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p> <p>9.3 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> <p>9.4 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement</p>

	<p>(SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p> <p>Key Considerations</p> <p>9.5 The key issues in the assessment of the proposed development are:</p> <ul style="list-style-type: none"> • Principle of development of residential and other mixed uses • Impact on Built Heritage • Impact on the character and appearance of the area • Open Space Provision • Traffic and Parking • Impact on Amenity • Land contamination • Impact on Air Quality • Noise and Odour • Drainage and Flooding • Waste Water Capacity • Impact on Protected Sites • Other Environmental Matters • Developer Contributions • Pre-application Community Consultation <p>Principle of Development</p> <p><i>Belfast Urban Area Plan (BUAP)</i></p> <p>9.6 In the BUAP the site is zoned as part of an Area of Business Development Potential.</p> <p>9.7 Policy IND2 of the BUAP identifies former industrial and commercial sites in the inner city as areas where urban renewal should facilitate business development. The former Gasworks site is identified as one such area. The policy goes on to state that the retention of these sites in business use will also help to locate jobs close to housing communities in the inner city. It also states that it may not be possible to retain all the land for industrial and commercial uses with the result that a mix of land uses may be more appropriate on some sites.</p> <p>9.8 The Office Development Strategy within BUAP states that office development will be concentrated in the city centre with large scale office development directed to the Main Office Area.</p> <p><i>Draft BMAP</i></p> <p>9.9 In draft BMAP (2004), the application site is in the City Centre (CC 001) and falls within designations CC 009 (Main Office Area), CC 017 (Laganside South and Markets Character Area) and CC 102 (Area of Parking Restraint). Part of the site to the west, along the Cromac Street frontage, is designated as a Development Opportunity Site ("DOS") (Cromac Street / Raphael Street CC 072). Zoning CC 03/07 is a committed housing site. The relevant excerpt from the proposal map is provided overleaf.</p>
--	---



- 9.10 The Public Inquiry into the draft published in 2004 ran from April 2007 to May 2008. The Planning Appeals Commission (PAC) report into the draft Plan and adoption Statement are material considerations.
- 9.11 In draft BMAP (2014), the application site is in the City Centre (CC 001) and the DOS has been removed following the PAC report and replaced with a social housing zoning (CC 04/08 - Social Housing Cromac Street / Raphael Street) for the entire application site. The site also falls within the Laganside South and Markets Character Area (CC 014) and an Area of Parking Restraint (CC 025).
- 9.12 In draft BMAP (2014), the application site is in the City Centre (CC 001) and the DOS has been removed and extent of the city centre gateway designation reduced. A social housing zoning (CC 04/08 - Social Housing Cromac Street / Raphael Street) now covers the entire application site. The site also falls within the Laganside South and Markets Character Area (CC 014) and an Area of Parking Restraint (CC 025).
- 9.13 The relevant excerpt from the proposal map is shown below:



9.14	The policies in draft BMAP (v2014) which was purported to be adopted are considered to have significant weight given the advanced stage in the development process that the draft plan had reached. Draft BMAP (v2014) is at the furthest possible stage that the draft development plan could have reached without being formally adopted.
9.15	The thrust of the BUAP and draft BMAP (v2004) is that office development is desirable in the Gasworks area. However, this has changed to a social housing zoning in dBMAP (v2014). In this case it is considered that the proposal would strike an appropriate balance between delivering high quality social housing and providing employment and community uses which would support the new housing and wider locality. It is pertinent that the NIHE is supportive of this mixed use scheme in its current form.
9.16	<p>Since parts of the site were previously used for industry, the proposed redevelopment of the site has also been assessed against Policy PED 7 of PPS 4 which states that:</p> <p><i>'On unzoned land a development proposal that would result in the loss of an existing Class B2, B3 or B4 use, or land last used for these purposes, will only be permitted where it is demonstrated that:</i></p> <p><i>(a) redevelopment for a Class B1 business use or other suitable employment use would make a significant contribution to the local economy; or</i></p> <p><i>(b) the proposal is a specific mixed-use regeneration initiative which contains a significant element of economic development use and may also include residential or community use, and which will bring substantial community benefits that outweigh the loss of land for economic development use; or</i></p> <p><i>(c) the proposal is for the development of a compatible sui generis employment use of a scale, nature and form appropriate to the location; or</i></p> <p><i>(d) the present use has a significant adverse impact on the character or amenities of the surrounding area; or</i></p> <p><i>(e) the site is unsuitable for modern industrial, storage or distribution purposes; or</i></p> <p><i>(f) an alternative use would secure the long-term future of a building or buildings of architectural or historical interest or importance, whether statutorily listed or not; or</i></p> <p><i>(g) there is a firm proposal to replicate existing economic benefits on an alternative site in the vicinity.</i></p>
9.17	It is clear that exception (b) applies here with the proposal being a mixed-use regeneration scheme that contains a significant element of economic development use and also includes social housing, which will bring substantial community benefits that outweigh the loss of land for economic development use.
9.18	The provision of much needed social housing in an area of housing stress, with a mixed of uses that will create job opportunities, is considered to be of substantial benefits to the local community. It is therefore considered that the proposed redevelopment of the site meets the requirements of PED7 of PPS4.
9.19	The previous industrial site land has over time been developed primarily as surface level car parks, a hotel (the Radisson) and more recently part of the site has been the subject of an approval for office development (Site C). This reflects the recent thrust of redevelopment for the former Gasworks Industrial site, zoned in BUAP as an Area of Business Development Potential. With the introduction of a number of uses, alongside proposed social housing, which acknowledges the most recent zoning in the Draft BMAP v2014, there is a balance to the proposed redevelopment and as such any loss of 'employment land' will be outweighed by wider community benefits, and a generous level of commercial, business and light industrial uses providing a sustainable, job creation package for a site largely vacant of any industrial or employment uses for some time. As

	<p>such, approval will not lead to a significant diminution of the industrial/employment land resource in the locality and the plan area generally.</p> <p><i>Principle of Residential Use</i></p>
9.20	<p>The site is located within a social housing zoning in draft BMAP (v2014), which officers advise should be given significant weight. As discussed, the proposed mix of uses is considered to sit comfortably with the BUAP zoning and the social housing zoning in the most advanced version of draft BMAP. The principle of social housing as part of the redevelopment of this mixed use masterplan area is considered acceptable and is supported by the Northern Ireland Housing Executive (NIHE) in recognition of the substantial unmet need for social housing in the area.</p>
9.21	<p>This site sits within the Markets Common Landlord Area and the Lower Ormeau Housing Need Area (HNA), and the NIHE has confirmed that as of March 2021 there were 353 applicants in housing stress. The NIHE 'Place Shaping Team' has been working with Radius Housing Association, being the joint applicant, and has agreed a housing mix comprising 94 units, including eight wheelchair accessible units.</p>
9.22	<p><i>Principle of Mixed Use blocks</i></p> <p>Three mixed use blocks located are proposed within masterplan area within Sites A and D. All matters are reserved for subsequent approval.</p>
9.23	<p>Site A</p> <p>The mixed use elements in Site A are located within an indicative eight storey and a five storey block located south of the residential layout. The maximum height parameters for these buildings are 30m and 23m respectively, as set out in the Design Code. The proposed uses include up to 7,710 sqm of floorspace to include tourist hostel, residential, office, retail, commercial including community enterprise, community infrastructure and social enterprise floor space (A1 or A2 or B1 or B2 or C1 or C2 or D1) units.</p>
9.24	<p>Site D</p> <p>The mixed use block on Site D is indicatively three storeys high, with a total floor area of 1020 sqm, and is located just south of the residential layout. Its maximum proposed height parameter is 11m. The proposed uses include office, retail, commercial including community enterprise, community infrastructure and social enterprise.</p>
9.25	<p>Policy IND2 of the BUAP identifies former industrial and commercial sites in the inner city as areas where urban renewal should facilitate business development. Given the location of the site within the city centre, its BUAP designation as an Area of Business Development Potential, and the provision as part of a wider mixed use scheme including social housing, with community benefits, and economic and community uses, the proposed mixed use blocks are considered acceptable in principle.</p>
9.26	<p><i>Principle of Hotel Extension</i></p> <p>A 6,980 sqm maximum extension is proposed on Site B immediately to the rear of the existing Radisson Blu Hotel, comprising the following indicative elements:</p> <ul style="list-style-type: none"> • Five storey bedroom block with provision for approximately 101 bedrooms and a gym • Three storey hotel amenity block including multi-functional room, back of house and admin.
9.27	<p>The maximum height parameter of this proposed extension would be 18m.</p>

9.28	<p>The hotel is an established use on the adjacent site, having been granted initial approval in 2010. The proposed heights and massing are in principle considered in keeping with the existing hotel, with a reduction in height to three storeys to the west ensuring there would be no adverse impact on the prospective residents in the proposed dwellings and namely the 5 storey apartment block located 10m to the west of the Hotel's curtilage. The final design of the hotel extension would be subject to a separate Reserved Matters application. The principle of a hotel use in this town centre location is considered acceptable.</p>
9.29	<p><i>Principle of a Commercial Building</i></p> <p>The proposed development on Site C includes an indicative six storey building with two storey set back, comprising a total of 7,130m² employment or community (A1 or A2 or B1 or B2) floorspace. No maximum height parameters are provided which means that height and scale are matters for subsequent approval.</p>
9.30	<p>The proposed six storey building corresponds with the office building approved under planning permission LA04/2016/2267/F. This previously approved proposal included a surface car park, providing approximately 79 car parking spaces on Site C. This hybrid application includes a new multi storey car park (MSCP) in place of the surface car park, which is discussed in more detail below.</p>
9.31	<p>In terms of impact on residential amenity, a generous separation distance of approximately 23m to the boundary of the nearest dwellings to the north should ensure no significant effect. The previously approved building on this site should also be taken into consideration and the impact is not anticipated to be any greater. The final design of the office building would be subject to a separate Reserved Matters application. The principle of an office building here is already established through the existing permission.</p>
9.32	<p><i>Principle of Multi-storey car park (MSCP)</i></p> <p>The proposed development on Site C also includes an indicative five storey car park with additional half storey set back, incorporating up to approximately 231 car parking spaces (4,130m² floorspace). No maximum height parameters are provided which means that height and scale are matters for subsequent approval.</p>
9.33	<p>The proposed MSCP has been assessed against the SPPS and Policies AMP9 and AMP10 of PPS3. The SPPS sets out the following requirements: <i>'In determining proposals for public and private car parks, including extensions, the planning authority should be satisfied that there is a need for the development by reference to the councils overall parking strategy following a robust analysis by the applicant'</i>. BCC's Car Parking Strategy and Action Plan (Published April 2018) promotes MSCPs, stating that: <i>'There should therefore be a shift away from surface car parking into multi-storeys'</i> and <i>'additional MSCPs should only be provided when a number of adjacent surface sites are closed and in consultation with adjacent communities.'</i></p>
9.34	<p>There is an overall loss of 160 car parking spaces across the application site as a result of the proposed redevelopment. The MSCP seeks to facilitate the parking displaced by other development across the application site. As set out in the applicant's Transport Assessment, the need for car parking is stated to be in the range of 214-242 spaces, therefore, the 231 space MSCP would help to fulfil this requirement.</p>
9.35	<p>The proposed MSCP is supported by Policy CC13 of the BUAP, which encourages the provision of adequate and convenient car parking, including multi-storey car parks.</p>
9.36	<p>The application site is located within the Belfast City Core Area of Parking Restraint. Policy AMP 10 of PPS 3 establishes a need for proposed car parks in areas of parking</p>

	<p>restraint to be limited to short-stay parking and to be appropriately managed to deter long stay commuter parking. Whilst some of the parking in the MSCP provides for the new development, the majority is replacement parking for vehicles already travelling to the site. Parking on parts of the Gasworks site is already managed to deter long stay, evidenced by barriers and ticket machines. It is expected that the proposed MSCP will be managed in a similar manner. It is considered that the MSCP would help address some of the loss of parking within the site, adheres to BCC's Parking Strategy and the SPPS, with the MSCP performing the same function of the existing surface car parks.</p>
9.37	<p>In terms of any potential impact on adjacent uses, there is a residential block located immediately north of the proposed MSCP. However, a 'building to building' separation distance of approximately 25m should ensure the amenity is not prejudiced to an unacceptable degree. It is also worth noting that the proposed roadway serving the buildings on Site B is not a through road and will be used only to serve the commercial building, the MSCP and the Hotel. The final design of the MSCP would be subject to a separate Reserved Matters application.</p>
	<p>Impact on Built Heritage</p>
9.38	<p>The application site is in close to listed buildings. HED considers that the following Listed Buildings would be impacted by the proposals:</p> <p>HB26 30 010 C The Gas Office, 4-14 Cormac Quay, Grade A HB26 30 010 B Klondyke Building, Cormac Ave, Gasworks, Grade B1 HB26 30 010 C Meter House, The Gasworks, Ormeau Road, Grade B+ HB26 30 041 Ormeau Baths Galley, 18 Ormeau Ave, Grade B+</p>
9.39	<p>HED advises that it is content in principle with the concept of new development on this site. However, it has significant concerns relating to aspects of the development which it advises would have an adverse impact on the setting of the listed buildings.</p>
	<p><u>Site A</u></p>
9.40	<p>HED notes that the 2 and 3 storey residential blocks have been developed to a high level (detailed plans, elevations and sections) at this outline stage. Notably, the residential blocks which feed onto/off Raphael Street and the north west of Cromac Street associated with the Housing Association, Radius Housing.</p>
9.41	<p>HED is content with the scale and mass of the development of the detailed residential elements within the overall application site. Aspects around their materiality selection and finer detailing can be assessed and developed at (potential) later Reserved Matters stage or conditions.</p>
9.42	<p>HED notes that Site A also proposes to incorporate further development, as indicated by blocks 'Mixed Use – A' and 'Mixed Use – B' (Plot A and Plot B respectively). HED notes that these are less developed in design but the application package does present outline forms to indicate scale within contextual drawings and datum heights. Also presented is a series of 3D images (referred to as 'Scene 1-4 CGI' within the Planning Portal) from a limited number of key public views.</p>
9.43	<p>HED advises that the 3D CGI images, notably Scene 2 and Scene 4 highlight how Plots A and B would act as a completing focus from the listed building markedly via the designed views along Cromac Street towards The Gas Office (HB26 30 010 C).</p>

9.44	<p><i>Plot A – indicative 8 Storeys</i></p> <p>HED considers the indicative 8 storeys (including 2 storey setback) would have an adverse impact on the character of the listed buildings and their setting, notably The Gas Office, due to its scale, mass and height.</p>
9.45	<p>Officers advise that part of Site A was once designated as a development opportunity site in draft BMAP (v2004). This designation promoted the potential for a 6-9 storey building at this location. Admittedly the proposed 8 storey building is not at the exact location of this designation but is not far removed from it. This recognised the site's important role as a potential gateway into the city centre. In considering the appropriateness of the proposed 8 storey Plot A one must not simply focus on the existing built heritage but also the built context within the immediate vicinity of the site, most notably the 8 storey Lucas building at the junction of Ormeau Avenue and Cromac Street, a short distance west of the site at the edge of the 'Linen Quarter' Conservation Area.</p>
9.46	<p>The proposed 8 storey building is located some 60m east of the Lucas Building and would help create a gateway, and establish a degree of balance and symmetry on what is a landmark location at the junction of Ormeau Road and Ormeau Avenue. It is also noteworthy that there are existing newer developments within the Gasworks complex which have substantial height including the Radisson Blu Hotel, which is a substantial building, adjacent to Site A and to the immediate rear of Site B. This establishes an existing context of taller buildings in the area.</p>
9.47	<p>In terms of HED's position, one must consider where the main public viewpoints of the proposed building would be and how it would be read with the Listed structure in terms of their intervisibility. There are arguably three main views: the view travelling north towards the site along Ormeau Road, the view travelling east towards the site along Ormeau Avenue and the view travelling south towards the site along Cromac Street. Two of these views (travelling north and east towards site), including the proposed development, are shown below. Each view will now be discussed in turn.</p> <p><i>Travelling north along Ormeau Road</i></p>
9.48	<p>Given the bend in the road at the junction with Ormeau Avenue, when passing the Gas Office Building, one would not be aware of the development beyond it to the north and east. It is arguably the more distant views from this approach which are more critical.</p>
9.49	<p>Again, the bend in the road plays an important role in how the proposed building will be read in relation to the listed Gas Office and indeed the Gasworks area as a whole. There is doubt as to whether or not the proposed building would be visible at all from parts of this approach, certainly in terms of intervisibility with the listed building. But at best these views would be minimal and fleeting. With the proposed building being located approximately 35m to the north of the listed building at its closest point, it is not considered that the setting of the listed structure would be harmed when experienced from this this approach. Once the proposed building comes into view one is beyond the listed Gas Offices, and as such the appreciation of this building is not affected as the proposed building would not act as a competing focus.</p> <p><i>Travelling east along Ormeau Avenue</i></p>
9.50	<p>There is no doubt that this view is critical, and it will be the view from which there is the highest, and most prolonged, degree of intervisibility between the proposed 8 storey, and indeed 5 storey mixed use building, and the Gas Office Building. This is indicated in the visual below.</p>



- 9.51 The key point here is how the proposed building(s) reads within the existing built form, namely that of the 8 storey building at the junction of Ormeau Avenue and Cromac Street (on the left above). The proposed building, and the proposed 5 storey building in the backdrop, help frame this approach to the Gasworks Business Park. The two storey setback on the eight storey building is critical from this viewpoint and reduces the overall weight and massing of the structure. This undoubtedly reduces the potential impact on the setting of the listed building, whilst addressing the scale at the eastern periphery of the Linen Conservation Area and being sympathetic to this. With the Lucas Building already proving something of stark contrast to the modest two storey scale of the Gas Office Building, it is not considered that the proposed eight storey building will be of any further detriment to the setting of the building or offer any greater visual competition than that which already exists. It should also be noted that the existing context, that of a surface level car park, is not the traditional planned context of the area and thus the existing setting is somewhat alien to the original planned setting of the more established Gasworks Buildings.

Travelling South along Cromac Street.

- 9.52 Again, the bend in the road at the junction with Ormeau Avenue becomes critical when considering this main view, highlighted in the visual below:



- 9.53 It is clear that the 8 storey building will demand attention, however, this dominance will be reduced by the stepping down to 6 storeys to the east, which is visible beyond the first roadside tree above.
- 9.54 Although intervisible with the southern end of the Gas Office Building it can be argued that this is very much a secondary façade, with the main, and indeed longest, elevation facing onto the Ormeau Road. This façade is located around the bend of the road in the distance and as such will not be impacted by the higher buildings from this approach. Again, this building must also be considered in tandem with the Lucas Building, which although just out of picture to the right above, steps up significantly from the two storey scale of the Gas Office Building, and thus also acting as something of a competing focus on this southern transition past the western boundary of the site. Aside from the 8 storey building, it is evident that the three storey townhouses along Cromac Street will provide a strong built frontage and with a sympathetic red bricked finish will compliment the traditional finish of the Gas Office Building and are of a scale which will ensure the frontage does not detract from the setting of the listed building.
- Plot B – indicative 5 storeys*
- 9.55 HED states that they are minded that a 5 storey block, including a 2 storey setback, may be achievable on this plot without any significant adverse impact on the character of the listed buildings or their setting.
- 9.56 Again, this building should be considered in terms of the key views discussed above. And with the lower height, and its location further into the site from the main Cromac Street frontage, an even stronger argument can be made as to how this building would not compete visually with the Gas Office Building, and indeed other listed buildings in the area. In terms of the Gas Office Building the main approach in terms of key views is without doubt from Ormeau Avenue. And as stated above, with the building of a lower scale, and set further into the site, approximately 45m north-east of the listed building, it is not considered the building would appear in any way dominant or act as a competing focus to the listed building. Thus, it is considered that it would not impact negatively upon its setting.

9.57	<p><i>Impact on Historic Monuments</i></p> <p>The application site is located in an area of high historic industrial activity, including the location of the Raphael Street Pipe Works (IHR 10141), the Cromac Steam Saw Mill (IHR 10010), and the Soap Works (IHR 10006). While the above-ground structures associated with these buildings no longer exist, there is the potential for below-ground remains to survive <i>in situ</i> within the development area.</p>
9.58	<p>HED 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, including an Industrial Archaeology survey and a mitigation strategy focussing on the industrial archaeological remains of the site. This is to identify and record any industrial archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH 4 of PPS 6. Relevant conditions are detailed below.</p>
9.59	<p><i>Impact on the setting of the Linen Conservation Area</i></p> <p>The application site is located a short distance east of the Linen Conservation Area and as such has been assessed against Policy BH12 of PPS 6.</p>
9.60	<p>As with the listed buildings within the Gasworks site, the key views from within the Conservation Area are from Ormeau Avenue travelling west towards the site. Again, as with the discussions above, the key buildings will be the mixed use 8 storey and 5 storey buildings. As shown in the visual, it is clear that the 8 storey building takes a strong design cue from the Lucas Building located on the eastern edge of the Conservation Area. The indicative two storey setback certainly helps reduce any potential dominance from the eastwards journey from the middle of the Conservation Area towards the site and the scheme would read comfortably with those buildings on the junction of Ormeau Avenue and Cromac Street. With the further reduction in scale to the five storey mixed use building beyond, there would be a relatively smooth transition in terms of built form from the edge of the Conservation Area to the western edge of the site and beyond to the heart of the proposed scheme.</p>
9.61	<p>Similar to the argument about the impact on the setting of the Listed Gasworks Buildings, the bend in the road takes the built form away from the south-eastern corner of the conservation area, at the junction of Ormeau Avenue and Cromac Street. On the northwards approach along Ormeau Road, one would only start to read the proposal with the Conservation Area at this main junction with Ormeau Avenue. The scale and design of the housing, with three storey red-bricked townhouses onto Cromac Street, is very much reflective of the built form along the eastern edge of the Conservation Area to the other side of the road. It is considered that the character and appearance of the adjacent Linen Conservation Area would be preserved. The proposal, by reason of its nature and the location of the site, is not considered to provide opportunities for enhance of the Conservation Area.</p>
9.62	<p>Impact on the character and appearance of the area</p> <p>The proposal has been assessed against design policies in the SPPS and Policy QD1 of PPS 7.</p>
9.63	<p>The housing elements of the proposal are located on two separate sites at either end of the masterplan area, Sites A and D. These aspects of the proposal have been assessed against the detailed criteria in Policy QD1 of PPS 7, and each site will be assessed in turn below, having regard to the design analysis already undertaken in the report in the “in principle” section which considers the acceptability of the various proposed uses.</p>

<p>9.64</p> <p>9.65</p> <p>9.66</p> <p>9.67</p> <p>9.68</p> <p>9.69</p> <p>9.70</p> <p>9.71</p> <p>9.72</p> <p>9.73</p>	<p><u>Site A</u></p> <p>This site is located off Raphael Street to its north and shares a frontage with Cromac Street to the west. In terms of built context there are two storey terraced properties a short distance north of the site fronting onto the site and to Cromac Street to the west. A four storey apartment complex is located north-east of the site.</p> <p>The proposed layout of Site A consists of four rows of townhouses running north to south on a loop from Raphael Street. There are two apartment blocks. One three storey fronting onto Raphael Street and one five storey located in the south-eastern corner of the site.</p> <p>The town houses, two storey and three storey, would provide a strong traditional character reflective of the existing built context and indeed that of the industrial heritage of the site with their traditional design and red/ brown bricked finish. The three storey apartment block provides a strong frontage onto Raphael Street, whilst acting as a book end for the two central rows of north- south two storey back to back terraced dwellings.</p> <p>One element of the layout which has given officers concerns during the design process is the fact that the proposed three storey townhouses onto Cromac Street back onto this primary route. This is a point also raised by BCC's City Regeneration and Development team. To address these concerns the design of these dwellings has been specifically tweaked to ensure a 'dual frontage' appearance. This has been accompanied by careful landscaping and boundary treatment to the rear of the dwellings, with a low wall and hedge providing a high quality frontage onto Cromac Street whilst also ensuring the private amenity areas to the rear of these dwellings is suitably protected.</p> <p>The anomaly in terms of residential scale is the five storey block located in the south-eastern corner of the site. However, this scale and form again reflects that of some of the older industrial buildings that would have been found on the site and are still found in other areas of Belfast, many of which have been converted into apartments. This block also acts as something of a step to the higher 5 and 8 storey mixed use buildings to the south of the dwellings, thus enabling a smoother transition in built form from residential to non-residential, avoiding a stark contrast in height and also creating a unique character in this part of the site.</p> <p>There would be two mixed use buildings, 5 storey and 8 storey, proposed to the immediate south of the residential development on Site A.</p> <p>These buildings on Site A would create a strong sense of place providing landmark structures on a key nodal point close to the intersection of Ormeau Road, Cromac Street, Cromac Place and Ormeau Avenue. It is worth noting that the opportunity for a taller building along the eastern boundary of Site A was identified in the gateway designations in both versions of the draft BMAP.</p> <p>The 8 storey building, with the upper two floors set back in the indicative design, would complement the Lucas Building to the other side of Cromac Street and create a strong gateway feature from what is an important arterial route to the city centre.</p> <p>The proposed 5 storey building would then act as a transitional structure towards the 5 storey residential apartment block and hotel to the north and east and would be in keeping with the scale of other non-residential buildings within the Gasworks to the south</p> <p><u>Site D</u></p> <p>As with Site A the housing is located off a loop road with five rows of terraced townhouses fronting onto the street. Again, as with Site A, three storey apartment blocks provide a strong frontage onto Stewart Street, and act as something of a book end to the</p>
---	---

	two rows of two storey back to back housing located NW-SE in the middle of the site. The proposed row of dwellings along the southern boundary respects the established building line of the existing dwellings facing onto McAuley Street to the immediate west.
9.74	The rows of townhouses provide a strong traditional character reflective of the existing built context in the area immediately north of Site D and again that of the industrial heritage of the site with their traditional design, strong vertical emphasis and red/brown bricked finish.
9.75	An indicative 3 storey mixed use block is proposed just south-west of the residential development on Site D. Its location, form and scale would be in keeping with the site and its surroundings.
	<i>Landscaping, public realm and entrances</i>
9.76	The proposal includes areas of proposed public realm works, namely to Cromac Place to the south of the residential and mixed use blocks on Site A. It should be noted that the public realm proposals are outline and indicative by nature. Details of the public space would be considered in detail at reserved matters stage. The public realm works would help contribute to the overall regeneration of the area and would compliment the new landscaping within the residential Sites A and D.
9.77	HED sought clarity on the boundary treatments to the development, notably at the existing access to The Gasworks site at the junction of Cormac Street, Ormeau Road and Ormeau Ave (within Site A). The drawings show the existing access being altered, i.e. the existing curved wall, decorative pillars and gates are to be removed with the access to The Gasworks site being increased in width and being made more open.
9.78	HED highlights this design approach as a concern and a significant step away from the historic experience or understanding of this access point to The Gasworks. HED also accepts the character has altered significantly in the recent past the current access to The Gasworks at the junction of Ormeau Road, Cromac Street and Ormeau Avenue seek to retain the design ethos of 'entering' the industrial site. Therefore, HED are of the opinion the historic design character must be enhanced as part of this development opportunity. To remove the boundary edge of The Gasworks would have an adverse impact and significantly alter its character of the historic setting. It is worth noting that the entrance to Cromac Place is defined by fencing and gates. As this forms part of the outline application with matters reserved this is something which can be considered further at detailed design stage.
	Open Space Provision
9.79	The proposal has been assessed against Policies QD1 of PPS7 and OS2 of PPS8 and 'Creating Places' guidance.
	Site A
9.80	The private garden areas of the proposed residential units range from approximately 30 sqm to approximately 80 sqm per dwelling. The overall average is approximately 50 sqm per dwelling. Although this falls below the recommended 70 sqm as set out in 'Creating Places' it should be noted that this is an inner urban brownfield site on the edge of the city centre. Given the surrounding residential context it is considered that the garden spaces are generous and well above the norm in the area. As such the level of private amenity for dwellings within Site A is considered acceptable.
	Site D
9.81	The private garden areas range from approximately 45sqm to approximately 55 sqm per dwelling. The average provision is around 48 sqm per dwelling. As above this falls short

	<p>of the 70 sqm recommendation in 'Creating Places' but again, given the context of the site and the general level of private amenity provision in the area, almost 50 sqm per units is found to be acceptable.</p>
9.82	<p><i>Private communal open space</i></p> <p>Each of the two residential plots include apartments, which also require a level of private communal open space. These are provided in the form of enclosed communal gardens to the rear of the three main apartment blocks, two on Site A and one on Site D.</p>
9.83	<p><u>Site A</u></p> <p>Two three storey apartment blocks are located along the northern boundary of the site onto Raphael Street. These are served by an enclosed courtyard area measuring approximately 160 sqm to the rear. There are 9 apartments in these block, thus the level of private communal open space provision is approximately 18 sqm sqm per unit. This is above the minimum recommended 10sqm per units as set out in Creating Places and thus found to be acceptable.</p>
9.84	<p>The five storey block located in the SE corner of Site a has a total of 185 sqm of private communal space located to the rear of the building line. There are 10 apartments in this block, thus providing a total of 18.5 sqm of communal space per unit. As above this is in excess of the recommended 10 sqm per unit and as such is found to be acceptable.</p>
9.85	<p><u>Site D</u></p> <p>There are four apartment blocks located on this plot. Three at the front of the site onto McAuley Street and Stewart Street and another in the southern corner of the site. The apartments fronting onto Stewart Street have the same level of communal amenity provision as the same block on Site A, 160 sqm. With 9 apartments in these two blocks, that equates to approximately 18 sqm of amenity provision per unit, and as is the case with Site A is found to be acceptable. The other block along the site frontage has a more limited area of 'private' communal space with most of the amenity associated with this block located to the front. However, there is still approximately 50 sqm of private space to its rear, and with there only being 3 apartments in this block, ensures the level of provision is still greater than the recommended 10 sqm per unit.</p>
9.86	<p>The remaining apartment block is located in the rear corner of the site and has a generous level of open space provision adjacent to it, with approximately 225 sqm of communal space to its rear, equating to approximately 75 sqm per units for each of the three apartments in this block. This level of amenity provision well exceeds the Creating Places standards and as such is found acceptable.</p>
9.87	<p><i>Communal Open Space</i></p> <p>Policy OS2 of PPS8 requires that any residential developments in excess of 25 units, has at least 10% of the overall site area given over to communal open space. Each of the residential Plots A and D will be considered in turn.</p>
9.88	<p><u>Site A</u></p> <p>There is no central area of open space as such but a strand of landscaped space is proposed along the street frontage onto Raphael Street. The total area of this strip is approximately 270 sqm, plus two small pockets of landscaped space at the end of the terraces gable onto Raphael Street, totalling approximately 60 sqm and a landscaped strip along Cromac Street of approximately 580 sqm. The total area of the residential element of Site A is approx. 7,500 sqm, and subsequently a total of 750 sqm of communal space is required. The provision of approximately 910 sqm communal open space is therefore considered acceptable.</p>

9.89	<p><u>Site D</u></p> <p>There are three main pockets of communal open space within Plot D. Two are located along the frontage onto McAuley Street and Stewart Street, totalling approximately 580 sqm, and one located beside one of the apartment blocks in the southern corner of the Plot, approx. 170 sqm. The overall provision is approximately 750 sqm. The total area of the site is approximately 9,000 sqm, therefore a total of 900 sqm is required as per Policy OS2. Although the provision falls slightly short of the policy requirement, this must be weighed up against the level of communal space provided for the apartment blocks and the inner urban context of the site. On balance, it is considered the level of communal open space is considered to be acceptable.</p>
9.90	<p>Traffic and Parking</p> <p>The Transport Assessment submitted with the application is still under consideration by DFI Roads, however no fundamental issues have been raised to date with regard to the overall impact of the proposal on the road network. After some discussion and various amendments to the proposed residential layouts an agreement has been reached, with a more informal street layout proposed, to enhance the overall quality of the scheme and ensuring a less engineered appearance. In terms of these detailed residential aspects of the proposal the parking ratio is approximately 0.5 spaces per unit. This parking ratio is similar to other recently approved residential schemes, and indeed social housing schemes, within close proximity to the city centre and beyond.</p>
9.91	<p>In such cases it is now standard practice that a Travel Plan accompanies the applications, setting out various green travel measures that promote alternatives to the private car, and reduce reliance upon it. A Travel Plan has been proposed as part of the Transport Assessment. This proposes initiatives such as car club membership and the option of travel cards for residents, however no specific details are offered as to how the provision would be subsidised by the applicant. This is something which has been raised by DFI Roads, and it has been acknowledged in their most recent consultation response that the green travel measures as proposed are insufficient. Amongst other measures DFI Roads are seeking a three year subsidised Travel Card for every resident, three years subsidised car club membership and a three year subsidised membership of the Belfast Bikes Scheme (the site is within 400m of a docking station).</p>
9.92	<p>Discussions are ongoing with the applicant to firm up an appropriate level of green travel measures, which will ultimately be secured through relevant clauses in the legal agreement. Given the proximity of the site to the city centre, it is considered appropriate to moderate the travel cards requirement from three years to one year. Fully subsidised car club membership and Belfast Bikes membership for the first three years of occupation is considered appropriate to off-set the lower provision of parking and encourage a modal shift to more sustainable modes of transport.</p>
9.93	<p>Impact on amenity</p> <p>The proposal has been assessed against the SPPS and Policy QD1 of PPS7. Mixed use schemes with residential units proposed alongside substantial buildings, in this case three, five and eight storey buildings, will inevitably have an impact on proposed properties both within the development itself and existing properties beyond.</p>
9.94	<p>In assessing the potential impact of these larger blocks on the amenity of prospective residents on Site A shadow studies were requested and considered. It has been demonstrated that the private gardens of all proposed dwellings benefit from sunlight at some point of the day. The most significant impact on residential amenity would be on the front of some of the units within the lower floors of the five storey apartment block on Site A. These would spend most of the day in shadow. Having said this, they will still benefit from natural light and their outlook is not compromised in any way, benefiting from the</p>

	<p>unimposing two storey terrace in front of the block across the street. On balance, the overshadowing of these three or four apartments within this block, in a scheme of 44 units, is not considered to be a fundamental issue.</p>
9.95	<p>On Site D the mixed use block is three storeys and given the separation distance there should be no significant loss of light or dominance experienced to the rear of the proposed dwellings backing onto this block.</p>
9.96	<p>It is evident that the housing layouts and positions of main windows and gables within the residential elements have been considered on the basis of the adjacent tall building, with separation distances, step downs and setbacks designed into the mixed use buildings to mitigate any overshadowing or amenity issues. No dwelling fronts directly onto any of the taller mixed use buildings with each receiving an acceptable level of natural light and sunlight both internally and externally.</p>
9.97	<p>In terms of the existing residential uses within the surrounding area separation distances are such that amenity should not be prejudiced to an unacceptable level as a result of any of the proposed uses or the scale or mass of any of the built form. The site is very much a standalone scheme and would relate sympathetically to neighbouring land uses.</p>
	<p>Contaminated Land</p>
9.98	<p><i>Detailed Quantitative Risk Assessment (DQRA)</i> Environmental Health has noted that the Detailed Quantitative Risk Assessment has been updated to include a section which considers the risk to adjacent residential properties. This assessment is based on the concentrations of a number of contaminants in deeper groundwater on the site and has determined an insignificant risk to off-site properties.</p>
	<p><i>Remediation Strategy</i></p>
9.99	<p>A Remediation Strategy has now been submitted for those aspects of the site which are subject to the outline with no matters reserved part of this hybrid application – specifically the 94 residential dwellings proposed across Site A and Site D. The report notes that prior to the commencement of site works, a detailed Remediation Implementation Plan will need to be prepared and submitted by the Contractor (or their representative) to address, in detail, the design and working methods by which the requirements of this Remediation Strategy will be implemented.</p>
9.100	<p>A number of potential contaminant linkages have been identified on Sites A and D. A remedial options appraisal has been completed to identify the best remedial options to break the direct contact and inhalation pathway (associated with shallow soils), and the pathway associated with the migration of ground gases and volatile organic compounds into buildings.</p>
9.101	<p>The report notes that the sites will be subject to a regrading exercise. A clean cover capping layer is proposed for emplacement across all soft landscaped areas in sub-sites A and D/NIE. The cover layer is to comprise 600mm of clean topsoil and a permeable geo-membrane to act as a warning and prevent mixing.</p>
9.102	<p>The report notes that groundwater may pose a risk to site users where present at depths less than the proposed capping thickness (0.6m bgl). Environmental Health has suggested that consideration is given to the incorporation of a capillary break layer in order to help control upward movement of dissolved and/or mobile contaminants. Detail on this further assessment and on the final detailed design of the clean cover capping layer must be provided in the Remediation Implementation Plan.</p>

9.103	<p>The report does not provide a final design for gas and vapour protection but notes that a vapour barrier will be installed. Detail on the final detailed design of the gas and vapour protection measures and their validation must be provided in the Remediation Implementation Plan. A Remediation Implementation Plan will need to be presented prior to commencement of construction for all aspects of the site which are contained within the outline with no matters reserved part of the application. This will be the subject of a condition as detailed below.</p>
9.104	<p>Impact on Air Quality</p> <p>The Air Quality Screening Report- Addendum, Gasworks Northern Fringe Masterplan Site, AECOM, (November 2021) has been provided to address air quality queries raised by Environmental Health. This Addendum document has been prepared primarily with regards to the 'no matters reserved' part of the planning application for 94 residential dwellings (Phase 1).</p>
9.105	<p><i>Road sources</i></p> <p>The applicant has assessed the predicted impact of the proposed development on human health in terms of nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}) air quality objectives.</p>
9.106	<p>The predicted impacts of the proposed development on annual mean NO₂, PM₁₀ and PM_{2.5} concentrations at all assessed receptor locations are described as negligible with no exceedances of the respective air quality objectives anticipated in the opening year of the development. Subsequently, the applicant's consultants have concluded that the impact of road vehicle exhaust emissions associated with the operation of the proposed development on local air quality is predicted to be not significant, in accordance with appropriate guidance and standards.</p>
9.107	<p>Environmental Health reiterate that in accordance with the Air Quality Screening Report (AECOM, June 2021) and the Transport Assessment (TA) (AECOM, June 2021) <i>the Proposed Development would result in a minor change to traffic flows throughout the locale</i> and also that the site is well served by walking, cycling and public transport facilities. Consequently, Environmental Health conclude that estimated road transport emissions, as a result of the proposed development, are likely to have a 'negligible' impact on nitrogen dioxide and particulate matter concentrations in the local area.</p>
9.108	<p><i>Railway sources</i></p> <p>The applicant's consultants have stated within the <i>Air Quality Screening Report- Addendum, Gasworks Northern Fringe Masterplan Site, AECOM, (November 2021)</i> that the potential impact of railway emissions (stationary/moving diesel locomotives) on the proposed development has been screened following the government's <i>Local Air Quality Management Technical Guidance LAQM.TG(16)</i>. The consultants have stated that although the closest part of the development to the railway is 13.5m, it is unlikely that trains will be idling directly adjacent to the development for periods of 15 minutes or more. Consequently, and in accordance with the government guidance, there is no predicted risk of exceedances of air quality objectives as a result of railway emissions.</p>
9.109	<p><i>Combustion Processes</i></p> <p>It has been stated within the submitted document (<i>Air Quality Screening Report- Addendum, Gasworks Northern Fringe Masterplan Site, AECOM, November 2021</i>) that heating and hotwater provisions for the development (Phase 1) are to be provided by individual domestic boilers; it has been confirmed there is no central energy centre proposed for the site.</p>

9.110	Consequently, Environmental Health has no concerns in relation to air quality impacts from domestic combustion sources.
9.111	The consultants undertook a construction impact assessment in accordance with <i>Guidance on the assessment of dust from demolition and construction IAQM (2014)</i> .
9.112	They have defined the dust emission magnitude during earthworks, construction and trackout activities as Low-Medium and also within the Outline Construction Environmental Management Plan, it is predicted that dust impacts will be Low.
9.113	Environmental Health has recommended a condition in relation to the submission of a Construction Environmental Management Plan which will also require the dust management measures recommended by AECOM in Chapter 6 are incorporated into this Plan. This condition is detailed below.
	Noise and Odour
	<u>Site A and D (Housing)</u>
9.114	Site A – further information has been submitted by the acoustic consultant with additional supporting rationale to provide greater confidence that the shorter term monitoring and a robust assessment of the noise climate impacting the proposed houses.
9.115	With regard to Site D, it has been confirmed that the proposed pumping station is for storm drainage only, no foul waste to be pumped, therefore, an assessment of odour impact is no longer required. The Noise consultants have also concluded there will be no negative impact on amenity due to the operation of the pumping station.
9.116	Additional clarity has been provided around exactly what noise sources were accounted for from the railway line, confirming that during the baseline measurement noises such as signalling horns, idling engines, PA announcements, rail wheel noise etc were included in the measurements. The Noise Consultants also advise that no freight movements were noted during the several days of baseline measurements.
9.117	With regard to the noise level in external amenity areas of houses within Site D, it is advised by the Noise Consultants that a close boarded fence to a height of 1.8m and a self-weight of 25kg/m ² is to be constructed at the boundary of all rear gardens of those houses that are proposed along the railway line. This proposed boundary acoustic fence between the rear gardens of Site D and the railway line will be secured via planning condition, as detailed below.
9.118	The specification for alternative means of ventilation should be clarified for these affected facades of the houses in Site D overlooking the railway. The windows to the rear facades of the houses overlooking the railway line need to be kept closed to insulate against noise ingress; therefore, an alternative means of suitable ventilation needs to be provided. Further technical information has been submitted to provide clarity on means of suitable ventilation in these windows. Final comments from Environmental Health remain outstanding, however a condition is likely to be recommended requiring the specification of windows and alternative means of ventilation to the habitable rooms of these houses on Site D be confirmed for review and approval prior to installation. Delegated authority is sought to resolve this issue.
	Drainage and Flooding
9.119	The proposal has been assessed against Policies FLD1, FLD2 and FLD3 of PPS 15.
9.120	The Flood Hazard Map (NI) indicates that portions of the northern boundary of the site lies within the 1 in 200 year coastal flood plain. As such, development within these areas

	is contrary to Policy FLD 1 of PPS 15, Planning but for it being deemed an exception or overriding regional importance by the Council. The proposal is considered an exception given that this is a zoned brownfield site within the city centre limits with material benefits to the economy in terms of proposed uses and provision of much needed social housing. DfI Rivers advises that 'If the Planning Authority deems this application to be an exception under Policy FLD 1', while not being responsible for the preparation of the Flood Risk Assessment accepts its logic and has no reason to disagree with its conclusions.
9.121	A culverted watercourse which is designated under the terms of the Drainage (Northern Ireland) Order 1973 and known to DfI Rivers as the 'Lower Blackstaff River' is located within the south-western boundary of the site. The site may be affected by undesignated watercourses of which we have no record.
9.122	Under paragraph 6.32 of Policy PPS 15, an adjacent working strip along a watercourse must be retained to facilitate future maintenance by DfI Rivers, other statutory undertaker or the riparian landowners. The working strip should have a minimum width of 5m, but up to 10m where considered necessary, and be provided with clear access and egress at all times. Under 6.33 of the Policy there is a general presumption against the erection of buildings or other structures over the line of a culverted watercourse in order to facilitate replacement, maintenance or other necessary operations. A suitable maintenance strip of minimum 5m must also be in place. DfI Rivers PAMU acknowledge the provision for a working strip has been illustrated on the most recent drainage layout. The proposed development has been specifically designed to avoid the culvert and ensure a suitable maintenance strip.
9.123	DfI Rivers has also reviewed the applicant's Drainage Assessment, dated 25th May 2021, and acknowledges the submission of additional drainage information uploaded to the planning portal on 26th Nov 2021, including Schedule 6 consent to discharge from the local DfI Rivers Area Office.
9.124	DfI Rivers has stated, that while not being responsible for the preparation of this Drainage Assessment accepts its logic and has no reason to disagree with its conclusions. The Drainage Assessment has demonstrated that the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event could be contained through the addition of an underground online attenuation system, when discharging at existing green field runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NI Water prior to adoption.
9.125	However, in order to ensure compliance with PPS 15, DfI Rivers requests that the potential flood risk from exceedance of the network, in the 1 in 100 year event, is managed by way of a condition. A recommended condition is detailed below.
	Waste Water Capacity
9.126	The application proposes to dispose of foul sewage to a Northern Ireland Water Limited (NIW) sewer. The drainage assessment outlines issues with NIW accepting the foul sewage from the site due to capacity issues within the network.
9.127	NI Water has advised that no further connections should be made to the foul network. Sufficient waste water treatment capacity is not available at present for the proposed development. The public system cannot presently serve this development proposal without significant risk of environmental harm. NI Water plans to upgrade the Waste Water Treatment Works in this drainage area. While this remains subject to prioritisation

	and the availability of funding NI Water is recommending connections to the system are curtailed.
9.128	The applicant has since advised that as a result of the remodelling work there is now agreement to the storm water offsetting solution. This may change NI Water's position but for the moment they are recommending refusal for reasons stated above.
9.129	In any event, regard has to be had to the significant number of un-implemented and extant planning permissions across the city for substantial numbers of new housing, industrial and commercial floor space, which NIW has a duty to connect to. All those developments will not come forward as once and it would be unreasonable to refuse planning permission for the proposed development on the basis of this strategic fall-back.
	Other Environmental Matters
9.130	Due to the proximity to watercourses Water Management Unit also require a full Final Construction Environmental Management Plan (CEMP) from the appointed contractor and that it should be submitted to NIEA Water Management Unit, at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. This Final CEMP should include the mitigation and best practice outlined in the OCEMP document uploaded to the planning portal on 21st July 2021. An appropriate condition is detailed below.
	Impact on Protected Sites
9.131	Following an appropriate assessment in accordance with the Regulations and having considered the nature, scale, timing, duration and location of the project, Shared Environmental Services (SES) has advised the project would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects. In reaching this conclusion, SES has assessed the manner in which the project is to be carried out including any mitigation. This conclusion is subject to mitigation measures being conditioned with the submission of a final Construction Environmental Management Plan required and details of the method of sewage disposal has been agreed with Northern Ireland Water (NIW) or a consent to discharge for private treatment plants. These conditions are detailed below.
9.132	Belfast City Council in its role as the competent Authority under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), and in accordance with its duty under Regulation 43, has adopted the HRA report, and conclusions therein, prepared by Shared Environmental Service, dated 25/05/2022. This found that the project would not have an adverse effect on the integrity of any European site.
	Developer Contributions
9.133	In this instance it is considered appropriate that the following Developer Contributions are secured to fulfil planning policy requirements and mitigate the impacts of the proposal.
9.134	<ul style="list-style-type: none"> • Securing the residential units as affordable housing in view of the dBMAP zoning; • Securing the implementation of the travel plan and green travel measures including travel cards for each residential unit for one year; full membership of a car club for each residential unit for three years; and full membership of Belfast Bikes for each residential unit for three years; • Management of the open space and common parts of the site

9.135	The Council's Economic Development Unit has advised that an Employability and Skills Developer Contribution is not required on the basis that the contract for redevelopment is subject to Buy-Social considerations. It is understood that the Council would insist on social clauses as part of its transaction to lease or dispose of the site.
9.136	The Council controls the application site and it is not possible for the Council to enter into a Section 76 planning agreement with itself. Therefore, the above planning obligations will need to form part of a legal agreement in respect of the Council's leasing or disposal of the land which will require those obligations to be delivered. This same approach was used in respect of the planning permission for the office building on Site C (LA04/2016/2267/F).
9.137	<p>Pre-application Community Consultation</p> <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>
9.138	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 (LA04/2017/1900/PAN) was submitted to the Council on 17 th August 2017.
9.139	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.
9.140	<p>A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:</p> <ul style="list-style-type: none"> • Two 'open house' public drop-in events were carried out as part of the consultation process. The first open house event took place on Friday 10th November 2017 at Cromac Regeneration Initiative, Donegall Pass, Belfast. The second took place on Friday 24th November 2017 at the Radisson Blu Hotel, Cromac Place. • The material shown at the open house events was also placed on public exhibition at the Ground Floor of the Cecil Ward Building at 4-10 Linenhall Street, Belfast from Monday 13th November 2017 to Friday 9th February 2018. • The project team held four individual workshops with the following identified stakeholders: <ul style="list-style-type: none"> ➤ Market Development Association - Markets Community Centre (11th January 2018) ➤ Donegall Pass Community Forum - Donegall Pass Community Centre (25th January 2018) ➤ Gasworks Estate tenants - Radisson Blu Hotel (13th February 2018) ➤ Lower Ormeau Resident's Action Group - Shaftsbury Community & Recreation Centre (21st February 2018). • In addition, the applicants held three meetings with representatives from the Market Development Association on 30th July 2020, 26th January 2021 and 26th February 2021. • Notification of the webinar was advertised in the Belfast Telegraph and The Irish News on 16th October 2017. • The PAN was circulated to a number of Councillors and MLAs.

<p>9.141</p> <p>9.142</p> <p>9.143</p>	<ul style="list-style-type: none"> • Leaflets inviting people to the drop in webinars were distributed to approximately 7,000 properties in the vicinity of the site. <p>In total, 61 feedback forms were returned. 48% did not agree with the overall regeneration proposals. Concerns were raised about the proximity of the ‘gateway’ building on Site A to proposed housing. Concerns were also expressed about the on-street parking layout and green spaces. General concerns were raised around the private commercial proposals at the expense of social housing (on social housing zoning).</p> <p>In response to these concerns the level of social housing provision was increased and the proposed 94 units have met with the full support of the NIHE. The amount of commercial/ mixed use floor space was reduced to make way for the additional housing. In terms of the heights of the mixed use buildings and potential proximity issues, there has been a two storey stepping in on the upper floors of both the 5 storey and 8 storey buildings on Site A.</p> <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>
<p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p>	<p>Summary of Recommendation:</p> <p>The proposal would provide a comprehensive mixed use redevelopment and regeneration of zoned lands within the Gasworks Estate. The mix of industrial/commercial units is complimented by much needed social housing provision of 94 units, and follows the thrust of BUAP, and draft BMAP zonings for the area. Having regard to the Development and relevant material considerations, the proposal is considered acceptable.</p> <p>It is recommended that planning permission is granted subject to conditions and a completion of a planning agreement.</p> <p>In view of the objection from DFC HED and current position of DFI Roads, the application will need to be notified to the Department for Infrastructure in accordance with the Planning (Notification of Applications) Direction 2017. Assuming that the Department does not “call in” the application, the application will then need to be subject to a Pre-Determination Hearing before final consideration by the Planning Committee.</p>
<p>11.0</p>	<p>DRAFT CONDITIONS</p> <p>31. The development hereby permitted must be begun by the following, whichever is the later.</p> <ul style="list-style-type: none"> • Five years from the date of this permission; or • The expiration of two years from the date of approval of the last of the reserved matters <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>32. Application/s for approval of the reserved matters in respect of all parts of the development, other than the 94 residential units across Sites A and D for which full details have been provided, shall be made to the Council within three years from the date of this permission.</p> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p>

33. No development shall commence on site, other than the 94 residential units across Sites A and D, unless details of the siting, design, external appearance, means of access and landscaping (herein called "the reserved matters") 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: This permission is in outline only and further details of the development are required under section 4(1) of The Planning (General Development Procedure) Order (Northern Ireland) 2015.

34. The reserved matters referred to in condition 3 above shall include the following:

Siting: the two dimensional location of buildings within the site.

Design: the two dimensional internal arrangement of buildings and uses and the floor space devoted to such uses, the three dimensional form of the buildings and the relationship with their surroundings including height, massing, number of storeys, general external appearance and suitability for the display of advertisements.

External appearance of the Buildings: the colour, texture and type of facing materials to be used for external walls and roofs.

Means of Access: the location and two dimensional design of vehicular and pedestrian access to the site from the surroundings and also the circulation, car parking, facilities for the loading and unloading of vehicles and access to individual buildings within the site.

Landscaping: the use of the site not covered by buildings and the treatment thereof including the planting of trees, hedges, shrubs, grass, the laying of hard surface areas, the formation of banks, terraces or other earthworks and associated retaining walls, screening by fencing, walls or other means, the laying out of gardens and the provisions of other amenity features.

Reason: To enable the Council to consider in detail the proposed development of the site.

35. No external facing or roofing materials shall be applied to the 94 residential units across Sites A and D unless in accordance with a written specification of the materials, which shall have first been submitted to and approved in writing by the Council.

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

36. Prior to the commencement of construction of the approved residential units on Sites A and D/NIE, a Remediation Implementation Plan shall be submitted to and approved in writing by the Council. This Remediation Implementation Plan should be based on the remediation proposals outlined in the AECOM Infrastructure & Environment UK Ltd report entitled 'Remediation Strategy, Belfast Gasworks, Radius Housing, Project number: 60635685, 9 November 2021' (Revision 0). The Remediation Implementation plan should be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance and must provide the final detail of the remediation works to be completed on the site and how they are to be verified. The development shall not be carried out unless in accordance with the approved Remediation Implementation Plan.

Reason: Protection of human health.

37. Prior to the occupation of any of the 94 residential units on Sites A and D/NIE, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall 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 Implementation Plan have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of human health.

38. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately in writing. 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 submitted to and approved in writing by the Council, 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.

39. At reserve matters stage the applicant shall provide to and have agreed in writing by the Council, a Detailed Remediation Strategy for the hotel, car park, commercial building or any of the mixed use buildings. This Detailed Remediation Strategy should consider the risk assessment presented within the AECOM Ltd report entitled 'Tier 2: Generic Quantitative Risk Assessment, Belfast Gasworks, Belfast City Council, Project reference: PR- 60554325_ENV_ACM_RP_003_05, Project number: 60554325, 03 November 2021' (Revision 05). The Detailed Remediation Strategy should be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance and must provide the final detail of the remediation works to be completed on the site and how they are to be verified. All construction thereafter must be in accordance with the approved Detailed Remediation Strategy.

Reason: Protection of human health.

40. Prior to occupation of the hotel, car park, commercial building or any of the mixed use buildings, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Detailed Remediation Strategy have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: Protection of Human Health.

41. At full or reserve matters stage the applicant shall include an air quality impact assessment. The assessment should have regard to recent up-to-date guidance and best practice for air quality, such as Local Air Quality Management Technical

Guidance document LAQM.TG(16) and Environmental Protection UK and the Institute of Air Quality Management, Land-use Planning & Development Control: *Planning For Air Quality (January 2017)*. The assessment must demonstrate that there will be no significant adverse air quality impacts or exceedances of Air Quality Strategy objectives at relevant human receptor locations, associated with the development.

Where exceedances of air quality objectives are identified at relevant human receptor locations, the AQIA shall include appropriate mitigation measures to demonstrably achieve compliance with the objectives in the development year of opening.

Reason: Protection of human health against adverse air quality impact.

42. No development shall commence on site (including demolition, site clearance and site preparation) unless an Environmental Construction Management Plan (CEMP) has been submitted to and approved in writing by the Council. The Environmental Construction Management Plan shall include measures to control noise, dust, vibration and other nuisance during the demolition/construction phase. No development (including demolition, site clearance and site preparation) shall be carried out unless in accordance with the approved Environmental Construction Management Plan. 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.

The dust management measures shall be based on the dust risk assessment and recommendations detailed by AECOM Consultants within Chapter 6 of the Air Quality Screening Report (June 2021) and have cognisance to good practice contained within the IAQM, 'Guidance on the assessment of dust from demolition and construction version 1.1', and dated February 2014.

No variations to the CEMP shall be implemented without prior written agreement of the Council and the development shall be carried out in accordance with the revised arrangements at all times.

Reason: To safeguard the amenities of the area and to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

43. At reserve matters stage, development-specific noise assessments, for all aspects of the proposal with all matters reserved, shall be submitted detailing the baseline noise conditions and identifying any potential noise generating sources associated with the proposals. Suitable mitigation measures shall be recommended for each subsequent block within each phase of development.

Reason: Protection against adverse noise impact and protection of residential amenity.

44. No works shall be carried out (other than those required to fulfil this condition) until a programme of archaeological work (POW) has been submitted to and approved in writing by the Council.

The POW shall provide for:

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

	<ul style="list-style-type: none"> • Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; • Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and • Preparation of the digital, documentary and material archive for deposition. <p>The development shall not be carried out unless in accordance with the approved POW.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>45. 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 No. 14. 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.</p> <p>Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.</p> <p>46. Prior to the commencement of any of the approved development, the applicant must demonstrate how any out of sewer flooding, emanating from the surface water drainage network agreed under Article 161, in a 1 in 100 year event, will be safely managed so as not to create a flood risk to the development or from the development to elsewhere.</p> <p>Reason: In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.</p> <p>47. Prior to occupation of any residential units within Site D a close boarded fence to a height of 1.8m (as shown on drawing No. GSW-ACM-SW-XX-DR-LA-600002 Rev.4 dated My 2022), and a self-weight of 25kg/m², shall be constructed at the boundary of all rear gardens of those houses that are proposed along the railway line and thereafter retained at all times.</p> <p>Reason: In the interests of residential amenity.</p> <p>48. No residential unit hereby approved on Sites A and D shall be occupied or operated unless details of covered bicycle storage has been submitted to the Council, and approved in writing. The covered bicycle storage shall be retained in accordance with the approved details at all times</p> <p>Reason: To ensure adequate provision and availability of cycle parking and to encourage sustainable travel.</p>
12.0	Notification to Department (if relevant) Yes – Objections from statutory consultees (HED and NI Water)
13.0	Representations from elected members: None received
Neighbour Notification Checked Yes	

ANNEX	
Date Valid	18th June 2021
Date First Advertised	30th July 2021
Date Last Advertised	30 th July 2021
Details of Neighbour Notification (all addresses)	
<p>106 Joy Street,Belfast,Antrim,BT2 8AP 11 Mcauley Street,Belfast,Antrim,BT7 2BU 12 Eliza Street Terrace,Belfast,Antrim,BT7 2AX 12 Stewart Street,Belfast,Antrim, 124a Joy Street,Belfast,Antrim,BT2 8LG 128a, Eglantine Avenue, Belfast, Antrim, Northern Ireland, BT9 6EU 13 Eliza Street Terrace,Belfast,Antrim,BT7 2AX 13 Mcauley Street,Belfast,Antrim,BT7 2BU 14 Eliza Street Terrace,Belfast,Antrim,BT7 2AX 15 Mcauley Street,Belfast,Antrim,BT7 2BU 153 Cromac Street,Belfast,Antrim,BT2 8JE 155 Cromac Street,Belfast,Antrim,BT2 8JE 157 Cromac Street,Belfast,Antrim,BT2 8JE 161-165 ,Cromac Street,Belfast,Antrim,BT2 8JE 167 Cromac Street,Belfast,Antrim,BT2 8JE 169 Cromac Street,Belfast,Antrim,BT2 8JE 17 Mcauley Street,Belfast,Antrim,BT7 2BU 18 Mcauley Street,Belfast,Antrim,BT7 2BW 19 Mcauley Street,Belfast,Antrim,BT7 2BU 2-6 Unit 6,Raphael Street,Belfast,Antrim,BT7 2DD 20 Mcauley Street,Belfast,Antrim,BT7 2BW 22 Mcauley Street,Belfast,Antrim,BT7 2BW 24 Cromac Place,Belfast,Antrim,BT7 2JB 3 Cromac Place,Belfast,Antrim,BT7 2JB 42-54 ,Raphael Street,Belfast,Antrim,BT7 2DD 5 Cromac Quay,Belfast,Antrim,BT7 2JD 5 Mcauley Street,Belfast,Antrim,BT7 2BU 57 Stewart Street,Belfast,Antrim,BT7 2BT 59 Stewart Street,Belfast,Antrim,BT7 2BT 61 Stewart Street,Belfast,Antrim,BT7 2BT 63 Stewart Street,Belfast,Antrim,BT7 2BT 65 Stewart Street,Belfast,Antrim,BT7 2BT 67 Stewart Street,Belfast,Antrim,BT7 2BT 69 Stewart Street,Belfast,Antrim,BT7 2BT 7 Mcauley Street,Belfast,Antrim,BT7 2BU 71 Stewart Street,Belfast,Antrim,BT7 2BT 73 Stewart Street,Belfast,Antrim,BT7 2BT 9 Mcauley Street,Belfast,Antrim,BT7 2BU</p>	

Apartment 1,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 1,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 1,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 10,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 10,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 10,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 11,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 11,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 11,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 12,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 12,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 12,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 13,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 13,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 14,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 14,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 15,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 15,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 16,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 16,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 17,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 18,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 19,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 2,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 2,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 2,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 20,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 21,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 22,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 23,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 24,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 25,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 26,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 27,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 28,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 29,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 3,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 3,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 3,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 30,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 31,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 32,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 33,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 34,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 35,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 36,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 37,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 38,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 39,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 4,10 Stewart Street,Belfast,Antrim,BT7 2BL

Apartment 4,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 40,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 41,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 42,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 43,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 44,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 45,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 5,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 5,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 5,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 6,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 6,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 6,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 7,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 7,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 7,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 8,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 8,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 8,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Apartment 9,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Apartment 9,10 Stewart Street,Belfast,Antrim,BT7 2BL
Apartment 9,1a ,Mcauley Street,Belfast,Antrim,BT7 2BN
Central Fire Station,6 Bankmore Street,Belfast,Antrim,BT7 1AQ
Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BW
First Floor Flat,106 Joy Street,Belfast,Antrim,BT2 8AP
Flat 1, 19 Raphael Street,Belfast,Antrim,BT7 2DD
Flat 1,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 1,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 10,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 10,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 101,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 102,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 103,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 104,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 105,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 106,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 107,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 11,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 11,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 12,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 12,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 13,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 14,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 15,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 15,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 16,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 16,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 17,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 17,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 18,1 Mcauley Street,Belfast,Antrim,BT7 2BP

Flat 18,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 19,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 19,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 2, 19 Raphael Street,Belfast,Antrim,BT7 2DD
Flat 2,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 2,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 20,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 20,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 201,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 202,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 203,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 204,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 205,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 206,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 207,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 21,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 21,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 22,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 22,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 23,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 23,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 24,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 24,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 25,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 25,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 26,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 26,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 27,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 27,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 28,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 28,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 29,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 29,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 3,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 3,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 30,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 30,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 301,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 302,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 303,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 304,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 305,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 306,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 307,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 31,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 31,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 32,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 32,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 33,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 33,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ

Flat 34,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 34,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 35,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 35,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 36,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 36,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 37,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 37,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 38,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 38,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 39,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 39,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 4,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 40,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 40,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 401,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 402,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 403,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 404,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 405,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 406,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 407,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 41,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 41,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 42,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 42,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 43,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 44,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 45,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 5,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 5,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 501,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 502,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 503,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 504,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 505,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 506,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 507,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 6,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 6,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 601,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 602,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 604,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 605,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 606,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 607,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 7,1 Mcauley Street,Belfast,Antrim,BT7 2BP
Flat 7,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
Flat 701,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
Flat 702,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB

Flat 703,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
 Flat 704,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
 Flat 705,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
 Flat 706,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
 Flat 707,1-3 The Lucas Building,Ormeau Avenue,Belfast,Antrim,BT2 8HB
 Flat 8,1 Mcauley Street,Belfast,Antrim,BT7 2BP
 Flat 8,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
 Flat 9,1 Mcauley Street,Belfast,Antrim,BT7 2BP
 Flat 9,Cromac Wood Court,3 Mcauley Street,Belfast,Antrim,BT7 2BQ
 Office (Gd Floor),135 Cromac Street,Belfast,Antrim,BT2 8JE
 St Malachys Primary School,1 Eliza Street,Belfast,Antrim,BT7 2BJ
 Suite 1 (1st Floor - Front),135 Cromac Street,Belfast,Antrim,BT2 8JE
 Suite 2 (1st Floor - Side),135 Cromac Street,Belfast,Antrim,BT2 8JE
 Suite 3 (1st Floor - Rear),135 Cromac Street,Belfast,Antrim,BT2 8JE
 Suite 4 (2nd Floor - Front),135 Cromac Street,Belfast,Antrim,BT2 8JE
 Suite 5 (2nd Floor - Rear),135 Cromac Street,Belfast,Antrim,BT2 8JE
 Suite 6 (3rd Floor),135 Cromac Street,Belfast,Antrim,BT2 8JE
 The Lighthouse,1 Cromac Place,Belfast,Antrim,BT7 2JB
 Unit 1 ,Raphael Street,Belfast,Antrim,BT7 2DD
 Unit 2-6,Raphael Street,Belfast,Antrim,BT7 2DD

Date of Last Neighbour Notification	28th July 2021
--	----------------

Date of EIA Determination	N/A
----------------------------------	-----

ES Requested	No
---------------------	----

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 th February 2023	
Application ID: LA04/2020/2105/F	
Proposal: Residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.	Location: 1-5 Gaffikin Street Belfast
Referral Route: Major development	
Recommendation:	Approval
Applicant Name and Address: Benmara Property Ltd 181 Templepatrick Road Ballyclare	Agent Name and Address: Footprint Architectural Design 181 Templepatrick Road Ballyclare
<p>Executive Summary: This application seeks full permission for a residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> - Principle of use on the site - Demolition - Access, movement and parking - Impact on natural heritage - Impact on built heritage - Design and layout - Open space and landscaping - Flood risk - Waste water treatment - Other environmental matters <p>The application site measures approximately 0.17ha and is located at lands bounded by Gaffikin St, Donegall Road, Blondin St and Oban St, Belfast. There is an existing car accessory shop, tyre centre and boxing club all within one large building on site at present. It displays a pitched roof and predominantly red bricked finish.</p> <p>The site is within the development limits of Belfast in BUAP, and both versions of Draft BMAP (2004 and 2014), and unzoned land within all. The site is located within Belfast City Centre and is identified as being within Shaftesbury Square Character Area CC013 within dBMAP. The immediate area is mostly residential with a mix of single and two storey terraced dwellings and a six storey apartment development directly adjacent (Whitehall Square).</p> <p>Following advertisement in the local press as well as neighbour notification, 118 letters of objection are recorded as being received from local residents, as well as 1 petition raising the following issues (summarised):</p> <ul style="list-style-type: none"> - Overlooking, overshadowing and loss of private amenity - Traffic and insufficient parking - Social (and affordable) housing needed and not private - Out of keeping with the existing built environment - Inappropriate scale - Negative visual impact - Existing resentment towards existing apartments in the area will worsen 	

- Dominance
- Overburdening the existing sewerage system
- Construction work and noise will impact on residential amenity
- Too many apartments are in the area already
- Community will not benefit from private rentals
- Developer was reluctant to meet with local residents
- Large number of dwellings in Gaffikin St are blocked up
- Travel Plan submitted is inaccurate
- Safety concerns
- Loss of existing boxing club
- Safe access required for ambulances and care workers
- PAN shows the development is not wanted in the area

In addition, a number of letters state their objection to the proposal but do not expand on the reasons why. Within a letter of objection from Blackstaff Residents Association, a request for a time extension was made for the submission of objection letters during Covid restrictions, and this was granted. Details were also included regarding a proposed "Traditional Family Residential Protection Areas" to be presented to DfC.

The proposal was amended from that initially submitted during the assessment of the application. The original submission was for a residential development of 55 apartments with no social or intermediate dwellings included.

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), PPS2, PPS3, PPS6, PPS7, PPS8, PPS12, PPS13, PPS15, Parking Standards, and Creating Places.

No objections were raised by Consultees, subject to Conditions should approval be granted, with the exception of NI Water who requested an up to date Waste Water Impact Assessment. This is addressed in the main report.

Having regard to the development plan, relevant policy context and other material considerations, the proposed development is considered acceptable and it is recommended that full planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and deal any other issues which might arise.

Case Officer Report

Site Location Plan



Representations:

Letters of Support	None received
Letters of Objection	118
Number of Support Petitions and signatures	None received
Number of Petitions of Objection and signatures	1 received containing 28 signatures

Characteristics of the Site and Area

1.0 Description of Proposed Development

The application seeks full planning permission for a residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.

1.1 The application follows a lengthy Pre-Application Discussion (PAD) process with officers.

2.0 Description of Site

The site measures 0.17 hectares approximately, located at lands bounded by Gaffikin St, Donegall Road, Blondin St and Oban St, Belfast. There is an existing car accessory shop, tyre centre and boxing club all within one single storey large building on site at present. It displays a pitched roof and predominantly red bricked finish. There are commercial/warehouse type buildings to the rear of the site, and residential dwellings in the rest of the immediate area. They take the form of apartments and terraced dwellings.

Planning Assessment of Policy and Other Material Considerations

3.0 Site history

3.1 There are a number of Planning Approvals on the site itself which are relevant, as detailed below:

Z/2007/1490/O - Site for residential development comprising 48 apartments – Approved 05/12/07

Z/2010/0777/F - Residential development comprising 51no. apartments – Approved 05/08/11

LA04/2015/0617/O – Residential development comprising 42 no. apartments – Approved 17/08/16

LA04/2018/0021/RM - Residential development comprising 42 apartments – Approved 13/11/18

3.2 The proposal falls under the category of Major Development, and therefore Pre-Application Community Consultation was carried out under the planning reference LA04/2020/0872/PAN. Feedback given was both supportive and unsupportive of the proposal.

3.3 Whilst some representations raised the issue that the developer was reluctant to meet with locals Community Consultation was carried out through the PAN process, and complied with The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020, which applied to this application.

4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001 (BUAP)

4.2 (Draft) Belfast Metropolitan Area Plan (BMAP) v2004

4.3 (Draft) Belfast Metropolitan Area Plan (BMAP) v2014

4.4 Belfast Local Development Plan Draft Plan Strategy 2035

4.5 Strategic Planning Policy Statement (SPPS)

4.6 Planning Policy Statement (PPS) 2: Natural Heritage

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

4.8 Planning Policy Statement (PPS) 6: Planning Archaeology and the Built Environment

4.9 Planning Policy Statement (PPS) 7: Quality Residential Environments

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

4.11 Planning Policy Statement (PPS) 12: Housing in Settlements

4.12 Planning Policy Statement (PPS) 13: Transportation and Land Use

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

5.0 Statutory Consultees

5.1 DfI Roads – No objection subject to conditions

5.2 Northern Ireland Water – Issues raised

5.3 DfI Rivers Agency – No objection subject to conditions

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

5.7 DfC Historic Environment Division (HED) Historic Buildings – No objection

5.8 DfC Historic Environment Division (HED) Historic Monuments – No objection

6.0 Non-Statutory Consultees

6.1 Belfast City Council (BCC) Environmental Health – No objection subject to conditions

6.2 BCC Urban Design Officer – No objection subject to conditions

6.3 Northern Ireland Housing Executive (NIHE) - No objection

6.4 BCC Landscape, Planning and Development – No objection

6.5 Shared Environmental Services – 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, as well as the Applicant's wishes. Re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt.

7.2 118 letters of objection were recorded as being received from local residents, as well as 1 petition raising the following issues

(summarised):

- Overlooking, overshadowing and loss of private amenity
- Traffic and insufficient parking
- Social (and affordable) housing needed and not private
- Out of keeping with the existing built environment
- Inappropriate scale
- Negative visual impact
- Existing resentment towards existing apartments in the area will worsen
- Dominance

- Overburdening the existing sewerage system
- Construction work and noise will impact on residential amenity
- Too many apartments are in the area already
- Community will not benefit from private rentals
- Developer was reluctant to meet with local residents
- Large number of dwellings in Gaffikin St are blocked up
- Travel Plan submitted is inaccurate
- Safety concerns
- Loss of existing boxing club
- Safe access required for ambulances and care workers
- PAN shows the development is not wanted in the area

7.3 These issues will be considered within the written assessment however a number of these issues are not planning considerations and outside the remit of planning legislation and guidance. Namely parking obstructions during construction as well as access; loss of the existing boxing club; resentment within the community towards existing apartments; number of existing apartments; proposed ideas for a "Traditional Family Residential Protection Areas" to be presented to DfC; incomes from private rentals; and quantum of existing dwellings which are in disrepair.

8.0 Other Material Considerations

8.1 Parking Standards

8.2 The Belfast Agenda (Community Plan)

8.3 Creating Places

9.0 Assessment

9.1 Section 6(4) of the Planning Act (Northern Ireland) 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

9.2 Following the Court of Appeal decision relating to BMAP, the extant development plan is now the Belfast Urban Area Plan 2001. 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. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remain contentious). The site is within the development limits of Belfast within (Draft) Belfast Metropolitan Area Plan (BMAP) 2004; BMAP 2015 and, the Belfast Urban Area Plan 2001 (BUAP). It is also located adjacent to an Arterial Route (Donegall Road).

9.3 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.

9.4 The proposed development is for a residential development comprising 55no. apartments comprising 6 no social, 6 no intermediate, and 43 no private apartments and associated site works.

9.5 The key issues are:

- Principle of use
- Demolition
- Access, movement and parking
- Impact on natural heritage
- Impact on built heritage
- Design and layout
- Open space and landscaping

- Flood risk
- Waste water treatment
- Other environmental matters

9.6 Principle of use

The site is within the development limits in BUAP, Draft BMAP and the unlawfully adopted version of BMAP and is not subject to any zonings. The area is characterised by a mix of uses as stated previously. The proposed development is residential and considered acceptable in principle at this location and in keeping with the mix of existing uses in the locality, subject to the consideration and resolution of other planning and environmental matters. The initial submission was for 55 private apartments, however the applicant amended this proposal to 55 apartments, 6 of which are social and 6 are intermediate. The request for social housing had been raised repeatedly within submitted representations. NIHE welcomed the inclusion of social and intermediate dwellings within the proposal also within their response dated 15/02/22.

9.7 Demolition

The development proposes the demolition of an existing single storey building. The building is considered to be of no architectural or historic interest, is not listed or located in an Area of Townscape Character or Conservation Area. The proposed demolition is considered by officers as acceptable in principle.

9.8 Access, movement and parking

The proposed development includes car parking provision of 23 spaces (0.4 spaces per apartment). The site is located on an arterial route and is well served by public transport with good access to the bus and railway stations/stops. Cycle parking spaces (32no) are also provided within the car park.

9.9 A number of versions of Transport Assessment Form, Parking Statement, and Travel Plan were submitted. The most recent Travel Plan submitted November 2021 proposes : -

- Funding for travel passes for three years to help establish sustainable travel and cycle hire membership.
- Funding for cycle hire membership for three years
- Commitment given by applicant the plan will be promoted by a Travel Coordinator. This will reduce dependence on the car and therefore contribute to reduced growth in car journeys in the future.

9.10 Whilst objectors raised concerns regarding the lack of parking and traffic increase, the scale of development and transport implications of the proposal were assessed by DFI Roads Service, the authoritative body on road safety and parking. Having considered the supporting information submitted as well as the plans, they have no objections to the development proposal on road safety and traffic progression grounds subject to conditions and securing the proposed green travel measures. They also did not raise any concern regarding the accuracy of the Travel Plan submitted.

9.11 Impact on natural heritage

With respect to the natural heritage on the site a Biodiversity Checklist including bat roosting and bird nesting potential assessment were considered by Natural Environment Division (NED). They responded with no objections to the proposal. The existing structure was assessed as having negligible bat roosting potential given a complete lack of potential roost features (PRFs). No evidence of nesting or roosting birds were identified inside the building by the ecologist, and NED are content that the demolition of the existing built structure will have no significant impacts on protected/priority species, including bats and breeding/nesting birds. Therefore, the proposal complies with the requirements of Policy NH2 of PPS2.

9.12 Impact on built heritage

The proposed site is in close proximity to No.1-29 Malone Place (Grade B2x8 & B1x1) which is a terrace of nine listed buildings. HED Historic Buildings was consulted and has no objections and the proposal complies with paragraph 6.12 of the SPPS and Policy BH11 of PPS6. HED (Historic Monuments) also noted they were content that the proposal is satisfactory to SPPS and PPS 6 archaeological policy requirements.

9.13 Design and layout

The proposal was subject to a lengthy and detailed PAD process, much of which focused on the design and layout of the proposed building. The proposal is of a modern design. The building can be viewed as 3 sections, a five storey element with a part setback sixth floor at the corner of Donegall Road/Blondin Street, a central five storey element and a three storey plus setback floor at the corner of Donegall Road/Oban

Street. Whilst this is an increase in height from what is existing on the site there are a number of taller buildings, Whitehall Square immediately adjacent (6 storeys to Donegall Road and 5 elsewhere) and Ulidia House (4 storeys with 1 storey set back on the top), located in the immediate area. The Urban Design Criteria (UDC) for this location in dBMAP 2015 for this character area states that 'new development shall respect the established building line and that building heights shall be a minimum of 2 storeys and a maximum of 3 storeys'. Previous approvals on the site itself must be acknowledged however as well as existing buildings in the area, and the proposed height is considered acceptable, especially in the context of existing developments in the immediate area which exhibits a variety in terms of building heights and designs.

9.14 The taller element of the building will be situated to the east of the site, and therefore adjacent to Whitehall Square. The opposite side of the building adjacent to Oban Street displays a 3 storey element with 1 storey set back, which is considered to respect the residential scale of the dwellings adjacent on the Donegall Road.

9.15 In regards to impact on residential amenity, criterion (h) of QD 1 of PPS 7 requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance and the orientation of the development in relation to the existing dwellings. With regards to the potential loss of light to the existing residential properties a detailed Daylight and Sunlight Assessment was submitted, which includes a consideration of the impact on neighbouring properties. The report demonstrates that the development meets BRE guidelines and on balance is considered acceptable from a daylight and sunlight perspective.

9.16 With consideration to the orientation of the development as well as the layout of the apartments there will not be an unacceptable degree of overlooking to residential amenity, particularly at Nos 70-80 Donegall Road and Whitehall Square as raised as a concern within some representations received. This can be said for overshadowing also, especially considering the set backs for proposed terraces.

9.17 The development is accessed via Gaffikin Street and Donegall Road both for pedestrians, and Gaffikin St for the car park. Defensible space is provided to the front of the ground floor apartments in the form of a 1.1m metal railing with a hedge. This should alleviate any safety concerns.

9.18 Of the 55 apartments, there are eleven 1 bed apartments, with the remainder are 2 bed apartments. A large roof top terrace is proposed, as well as a much smaller terrace on the fourth floor. 45 of the apartments also display recessed balconies. The apartments range in size from 41-56sqm for a 1 bed apartment, and from 60-66sqm for a 2 bed apartment. The proposed apartments meet the recommended space standards as set out in the Addendum to PPS7, Safeguarding the Character of Established Residential Areas.

9.19 The proposed materials are predominantly brick alongside PPC aluminium windows/doors, zinc cladding at the fifth floor, frameless glass balustrades around both terraces, precast concrete lintel window headers and at ground floor hedge railings, render and metal louvres. The proposed materials are considered acceptable for the area which is characterised by a variety of building types and elevation treatment, however as suggested by BCC Urban Design Officer samples of these should be submitted and agreed in writing with the Council prior to work commencement.

9.20 Open Space and landscaping

The proposed development has been assessed against the SPPS, Policy QD 1 of PPS7, Policy OS 2 of PPS 8 (Open Space, Sport and Recreation) and Creating Places. Recessed balconies are provided for 45 of the proposed apartments. Private communal external terraces are provided on the fourth and fifth floors. Overall an average of approximately 10sqm of amenity provision per unit has been proposed which is in line with Creating Places.

9.21 Policy OS 2 of PPS 8 states that proposals for new residential development of 25 or more units will only be permitted where public open space is provided as an integral part of the development. An exception to this requirement is in the case of apartment developments where a reasonable level of private communal open space is provided. The level of private open space is comparable with other developments in the area. The site is also in close proximity to existing areas of open space including Botanic Gardens. Taking account of the level of private amenity space proposed and accessibility to a

number of existing areas of open space within reasonable walking distance the proposal is on balance considered acceptable.

9.22 Flood Risk

Since the proposal is for development of more than 10 units FLD 3 of PPS 15 applies. A Drainage Assessment was submitted and forwarded to DfI Rivers Agency for comment. They responded on 09/12/20 stating the Drainage Assessment “lacks a current letter from NIW for consent to discharge storm water to their system”. They requested that should Approval be granted a Condition is included stating a final Drainage Assessment must be submitted to and agreed in writing with the Council prior to work commencing.

9.23 Following receipt of their response the Applicant submitted a copy of a Conditional Response dated 30/08/18 to an Article 154 application they had made, showing NI Water’s consent to connect storm (attenuated) to the combined sewer. This was forwarded to DfI Rivers Agency for comment. They responded on 19/07/22 acknowledging the Drainage Assessment demonstrated the design and construction of a suitable drainage network is feasible. It indicates that the 1 in 100 year event will be contained within the network, when discharging at existing greenfield runoff rate, and therefore there will be no exceedance flows during this event. Further assessment of the drainage network will be made by NIW prior to adoption, however, in order ensure compliance with PPS 15, they suggested the potential flood risk from exceedance of the network, in the 1 in 100 year event, is managed by way of a condition, which shall be included should approval be granted.

9.24 Waste Water Treatment

DAERA Waste Management Unit has expressed concern that the sewage loading associated with the proposal has the potential to cause an environmental impact if transferred to Belfast Waste Water Treatment Works (WWTW) and recommended that the Case Officer consult with Northern Ireland Water Limited (NIW) to determine if the WWTW will be able to cope with the additional load or whether the existing WWTW would need to be upgraded. NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development.

9.25 NI Water confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. These works are estimated to be completed within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues.

9.26 In practical terms it is considered unreasonable for the Council to withhold planning permission for the proposed development given NI Water’s pre-existing commitments to connect to significant levels of un-implemented development across the city. Moreover, NI Water has not provided evidence that the proposed development would have a direct and detrimental impact on waste-water infrastructure or environment, particularly in the context of impacts over and above what has already been committed across the city.

9.27 In light of the NI Water response dated 25/04/22 a negative planning condition shall be included in any approval to require full details of the how foul/waste water is to be disposed of prior to commencement of the development. As this matter can be addressed by a suitably worded planning condition this issue is not considered to be a refusal reason.

9.28 Shared Environmental Service (SES) carried out a Habitats Regulation Assessment on behalf of the Council and advise that the development would not have an adverse effect on the integrity of any European site, either alone or in combination with other plans or projects subject to mitigation measures which are recommended as a condition. Consent is required for the method of sewage disposal, agreed in writing with Northern Ireland Water (NIW) or Consent to discharge has been granted under the terms of the Water (NI) Order 1999, prior to the commencement of development. DAERA WMU whilst expressing concern also suggested this condition to be attached, but noted that Consent is not guaranteed.

9.29 Other Environmental Matters

BCC Environmental Health reviewed a number of documents submitted relating to noise, and contaminated land.

9.30 The issue of noise was raised in the representations, as a result of demolition/construction work. All construction work should be undertaken in line with best practice guidelines, however a condition was recommended by BCC EHO requiring that detailed Construction Environmental Management Plan (CEMP) be submitted and agreed with the Council, prior to demolition and then again prior to construction commencing (as often different contractors may be involved). The CEMP should demonstrate best practicable means will be employed in controlling adverse impacts associated with dust, noise and vibration and shall include arrangements and evidence of neighbour liaison/communication in advance of works commencing.

9.31 With regards to potential noise impact from the use of communal amenity areas which in noise terms do not benefit from being enclosed within a courtyard a condition has been recommended regarding access to the communal areas being restricted between certain hours to reduce the potential for noise in these areas affecting nearby off site sensitive residents.

9.32 While reduction by screening and distance from the road has been predicted in noise report submitted to achieve levels of noise just below the upper limits recommended in relevant guidance for the communal external amenity areas at fourth and fifth floor levels, a number of private balconies are likely to experience external noise levels significantly in excess of the recommended upper limit of 55dBLAeq,16hr outlined in the WHO guidelines. On balance given its urban location this is acceptable. BCC EHO suggested a number of very detailed conditions to be attached should approval be granted relating to all noise mitigation measures.

9.33 A Generic Quantitative Risk Assessment was submitted relating to the risk of contaminated land on the site. Comments were invited from both BCC EHO and DEARA's Regulation Unit, who both responded with no objections, suggesting conditions to be included should approval be granted.

9.34 BCC EPU has no objection to the proposal from an air quality perspective subject to the request for technical information to be submitted and agreed should any centralised combustion plants (boilers/CHP, biomass) be proposed. Based on this, an Air Quality Impact Assessment may be required for relevant human health receptors.

9.35 Conclusion

Having regard to the policy context, planning history on the site and other material considerations above, the proposal is considered on balance acceptable and planning permission is recommended for approval subject to conditions. It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised.

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. Prior to the commencement of the approved development, the applicant must demonstrate how any out of sewer flooding, emanating from the surface water drainage network agreed under Article 161 of The Water and Sewerage Services (NI) Order 2006, in a 1 in 100 year event, will be safely managed so as not to create a flood risk to the development or from the development to elsewhere. Details of which shall be submitted and agreed in writing with the Council.

Reason – In order to safeguard against surface water flood risk to the development and manage and mitigate any increase in surface water flood risk from the development to elsewhere.

3. No development shall commence on site (other than site clearance, site preparation, demolition and the formation of foundations and trenches) unless details of foul and surface water drainage, including a programme for implementation of these works, 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, which shall be retained as such thereafter.

Reason: To ensure appropriate foul and surface water drainage of the site is in place for the operational phase of the proposal that will ensure no impacts to European Sites. Approval is required upfront because the design of drainage is an integral part of the development and its acceptability.

4. No development shall take place on-site until the method of sewage disposal has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: To ensure the project will not have an adverse effect on the integrity of any European site.

5. Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, the final window schedule detailing the glazing configuration and sound reduction performance of the proposed windows to habitable rooms on all facades of the hereby permitted development. The window specification for habitable rooms shall be in line with recommendations of section 5 of the Irwin Carr Consulting Noise Impact Assessment (dated 28th May 2021, referenced Rp003N2020187).

Reason: In the interests of residential amenity

6. Prior to installation, the applicant shall submit to the planning authority, for review and approval in writing, confirmation of the specification of alternative means of ventilation. Windows shall be capable of a sound reduction of 40dB(Rw+Ctr) to the Donegall Rd northern façade, 36 dB(Rw+Ctr) to the Eastern (Blondin Street) and Western façade and 33dB(Rw+Ctr) to the rear southern façade along Gaffikin Street as recommended in section 5.4 of the Irwin Carr Consulting NIA dated 28th May 2021 Rp003N2020187. The sound reduction specification (dBD,n,e +Ctr) for the alternative means of ventilation shall be the same as or greater than the sound reduction specification for the windows of each façade to ensure suitable internal noise levels of habitable rooms outlined in British Standard BS8233:2014 are achieved with the windows shut and the alternative means of ventilation operating or in the open position.

Reason: In the interests of residential amenity

7. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed so as to achieve suitable internal noise levels in all habitable rooms in accordance with BS8233:2014, with the windows closed and the alternative ventilation provided

Reason: In the interests of residential amenity

8. Prior to occupation of the hereby permitted development, the approved final window schedule and approved alternative means of ventilation shall be installed.

Reason: In the interests of residential amenity

9. Prior to occupation of the hereby permitted development, the developer shall verify that the window schedule and alternative means of ventilation as approved have been installed by way of a written declaration from the supplier and installation contractor confirming such installation.

Reason: In the interests of residential amenity

10. The separating floor between the ground floor plant room and any habitable rooms directly above shall be constructed to ensure a sound reduction performance as per the recommendation in section 6 of the Irwin Carr Consulting NIA dated 28th May 2021, reference: Rp003N2020187.

Reason: In the interests of the residential amenity

11. The roof construction to the hereby permitted development shall incorporate an additional layer of 12.5mm plasterboard with staggered joints to ensure an overall sound reduction of 49dBRw is achieved by the roof.

Reason: In the interests of residential amenity

12. Access to and use of any communal external amenity area shall not be permitted between the hours of 22:30-08:00hrs

Reason: In the interests of residential amenity

13. The external communal amenity areas shall incorporate a 1.2m high glazed barrier to a minimum thickness of 10mm with no gaps below the glass or between sections of barrier.

Reason: In the interests of residential amenity

14. Prior to installation of any plant and equipment associated with the proposed development, details shall be provided to the planning authority for review and approval in writing. The details submitted shall be accompanied by comment by an acoustic consultant demonstrating that the rating level (dBLAr,T) of the plant/ equipment when in operation will not exceed the representative background sound level (dBLA90,T) at night when measured and/or determined in accordance with BS4142:2014. The details will be required to be supported with representative background noise levels taken at night in the location where the plant is proposed.

Reason: In the interests of residential amenity

15. The plant and equipment at the development shall be installed in accordance with the approved details.

Reason: In the interests of residential amenity

16. Prior to demolition, site clearance or site preparation, a Construction Environmental Management Plan (CEMP) shall be submitted to the Council for review and approval in writing. The CEMP shall include site specific measures to be employed by the appointed contractor to control noise, dust and vibration during the demolition demonstrating the use of 'best practicable means'. The CEMP shall have due regard to Parts 1 and 2 of BS5228:2009+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: In the interests of residential amenity

17. Prior to commencement of construction on site, a Construction Environmental Management Plan (CEMP) shall be submitted to the planning authority for review and approval in writing. The CEMP shall include site specific measures to control noise, dust and vibration during the construction phase, demonstrating the use of 'best practicable means'. The CEMP shall include rationale for and details of any chosen piling method and demonstrate that noise and vibration levels will not have an adverse impact on nearby premises. The CEMP shall 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 of residential amenity

18. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. 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.

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

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

20. After completing any remediation works required under Condition 19, 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 Land Contamination: Risk Management (LCRM) guidance available at: <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

21. In the event that a combustion plant is proposed at a subsequent design stage of the development, which has a single or combined NOx emission rate greater than 5mgs-1, the applicant must submit an air quality impact assessment for the development. The assessment shall include a specification for the combustion plant to be installed, to include emission rates and flue termination heights, of the proposed combustion systems for heating and hot water. The assessment must demonstrate that occupants of the proposed development will not be exposed to concentrations of air pollution in excess of air strategy objectives.

Reason: protection against adverse health effects.

22. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with drawing No.P306/R01 Rev.C uploaded to the Planning Portal 20th December 2021, prior to the occupation of any other works or other development hereby permitted.

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

23. The vehicular access hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of the Department for Infrastructure.

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

24. The development hereby permitted shall not be occupied until the redundant lowered kerbing to the southern frontage of the development at Gaffikin Street is removed and the footway reinstated to the satisfaction of the Department for Infrastructure.

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

25. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with drawing No.P306/R01 Rev.C uploaded to the Planning Portal 20th December 2021, 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.

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

26. The development hereby permitted shall not be occupied until sheltered cycle parking facilities have been provided in accordance with drawing No.P306/R01 Rev.C uploaded to the Planning Portal 20th December 2021.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles

27. The development hereby permitted shall operate in accordance with the Residential Travel Plan Rev.2 uploaded to the Planning Portal 20th December 2021.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

28. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to and have been approved in writing by the Council. These include brick, PPC aluminium windows/doors and precast concrete lintel window headers as well as GF hedge railings, render, metal louvres and vehicle entrance details. The development shall not be carried out unless in accordance with the approved details.

Reason: In the interests of visual amenity.

ANNEX	
Date Valid	21/10/20
Date First Advertised	20/11/20
Date Last Advertised	31/12/21
Date of Last Neighbour Notification	20/12/21
Date of EIA Determination	N/A
ES Requested	No
Notification to Department (if relevant) Date of Notification to Department: N/A Response of Department: N/A	