

Public Document Pack

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



**Belfast
City Council**

6th April, 2017

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Thursday, 13th April, 2017 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. Routine Matters

- (a) Apologies
- (b) Declarations of Interest

2. Proposed Abandonment - Cromwell Road (Pages 1 - 2)

3. Planning Applications

- (a) LA04/2017/0434/F - Change of use from Hair Dressing Salon to Café/restaurant with hot food carry- out facilities; includes rear extraction flue at 71 Botanic Avenue (Pages 3 - 8)
- (b) LA04/2016/1763/F - Proposed demolition of existing building and construction of 7 storey building with ground floor retail unit with offices on upper floors at 22-24 Berry Street (Pages 9 - 18)
- (c) 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 - Site C Gasworks Office Park Cromac Place (Pages 19 - 34)

transportni

Local Planning Office
Belfast City Council
The Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BD



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Eastern Division

Hydebank
4 Hospital Road
Belfast
BT8 8JL

Telephone: 0300 200 7893

Fax: (028) 9025 3220

Textphone number: 028 9054 0022

Email: Sandra.connolly@infrastructure-ni.gov.uk

www.infrastructure-ni.gov.uk

Being Dealt With By: Andrew Dodds

Direct Line: 028 9025 3107

Your Ref:

Our Ref: MD2/Z/03/875

Date: 4 April 2017

Dear Sir/Madam

ROADS (NI) ORDER 1993

PROPOSED ABANDONMENT AT REAR 50-60 CROMWELL ROAD, BELFAST

Transport NI are proposing to abandon the land as shown hatched/highlighted on the attached map.

Also attached is a plan, which shows the proposed layout.

Please let me have your comments on the above proposal.

If I do not receive your reply I shall assume you have no objection and will proceed accordingly.

Yours faithfully

Andrew Dodds
Lands Section

ENC



Dwg No.
Z/00/2363/F



Based upon the Ordnance Survey of Northern Ireland 1:1000 Scale Map with the Permission of the Director and Chief Executive
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Notes:

O.S. Map Refs - 147 01 NE 3 & 4

 Area = 104.320 sq.m

NO.	REVISION	DATE

Project: Land abandonment at

Title: 50 - 60 Cromwell Road, Belfast
Page 2

FILE NO.	DESIGNED	Date
DRAWN	MM	08/03/17
TRACED	CHECKED	Date
	APPROVED	Date

Dwg No. Z/00/2363/F
 Revision 0


Scale: 1:1250

transportni

Eastern Division
 Hydebank
 4 Hospital Road
 Belfast BT8 8JL
 Telephone: 028 9025 3000
 Fax: 028 9025 3220

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: May 2017	Item Number:
Application ID: LA04/2017/0434/F	
Proposal: Change of use from Hair Dressing Salon to Café/restaurant with hot food carry- out facilities; includes rear extraction flue	Location: 71 Botanic Avenue Belfast BT7 1JL
Referral Route: Restaurant includes take away facility	
Recommendation:	Approval
Applicant Name and Address: Standard Life Trustees Company Ltd c/o Frazer Kidd and Partners 87-89 Victoria Street Belfast BT1 4PB	Agent Name and Address: Noteman McKee Architects 60 Malone Road Belfast BT9 5BT
<p>Executive Summary:</p> <p>Full planning permission is sought for the change of use from Hair Dressing Salon to a café / restaurant with hot food carry-out facilities.</p> <p>The key issues in assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of take-away use at this location; • Impact on amenity of neighbouring properties; • Impact on traffic flow; <p>The site is located within the city development limits for Belfast as designated within the Belfast Metropolitan Area Plan 2015. It falls within the Queens Conservation Area and the Botanic Area of Townscape Character.</p> <p>The proposal has been assessed against the requirements of the Strategic Planning Policy Statement: Planning for a Sustainable Development and Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets.</p> <p>The principle of a take away at this location is considered acceptable and complies with policy and guidance. There are no changes to the external fabric of the building and therefore design issues do not arise.</p> <p>Consultees have no objection to the proposal subject to the inclusion of conditions and informatives.</p> <p>No objection/representations were received.</p> <p>Recommendation:</p> <p>It is recommended that the delegated authority is given to the Director of Planning & Place to approve the application with conditions with the final framing and wording of conditions to be delegated.</p>	

Case Officer Report	
Site Location Plan	
	
Characteristics of the Site and Area	
1.0	<p>Description of Proposed Development</p> <p>The proposal is for the change of use of the hair salon to a café/restaurant with hot food carryout facilities and includes the erection of a rear extraction flue.</p>
2.0	<p>Description of Site</p> <p>The site is located at no.71 Botanic Avenue in South Belfast. It consists of the ground floor unit of a 3-storey terraced property. The unit is currently in use as a hair dressing salon. The site falls with the Queens Office Area and the Botanic Area of Townscape Character.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Relevant Planning History</p> <p>Z/1987/0671 - 71 BOTANIC AVENUE - Conversion to retail units with installation of shop front and construction of rear extension - PERMISSION GRANTED</p> <p>Z/1988/0601 - 71 BOTANIC AVENUE - Conversion of 1st floor retail unit to restaurant use - PERMISSION GRANTED</p> <p>Z/1988/1028 - 71 BOTANIC AVENUE - Change of use to offices - PERMISSION GRANTED</p>

	<p>Z/2008/1513/F - AM PM 67-69 Botanic Avenue - Change of use from bar/restaurant to hotel retaining ground floor bar and first floor restaurant, conversion of second floor restaurant lounge to 6 bedrooms and provision of an additional third floor for 6 bedrooms (12 bedrooms in total). (Amended proposal) - PERMISSION GRANTED - 15.05.2009</p> <p>Z/2008/1731/F - 73 Botanic Avenue - Change of use from hot food bar to restaurant at ground floor only - PERMISSION GRANTED - 17.12.2008</p>
4.0	<p>Policy Framework</p> <p>Belfast Metropolitan Area Plan 2015 Strategic Planning Policy Statement</p>
5.0	<p>Other Material Considerations</p> <p>Development Control Guide Note 4 (DCAN4) Restaurants, Cafes and Fast Food Outlets.</p>
6.0	<p>Statutory Consultees</p> <p>Transport NI – No objection subject to informatives NI Water – No objection subject to informatives</p>
7.0	<p>Non-Statutory Consultee Responses</p> <p>BCC - Environmental Health Department – No objection subject to a condition and informatives</p>
8.0	<p>Representations</p> <p>The application has been neighbour notified and advertised in the local press. No comments have been received.</p>
9.0	<p>Assessment</p>
	<p><u>Proposal</u></p>
9.1	<p>The proposal is for the change of use from a hair dressing salon (Class A1: Shops) to the sale of food for consumption on the premises and of hot food for consumption off the premises. There are no proposed changes to the outside of the building other than the installation of an odour extraction flue on the rear elevation.</p>
	<p><u>Site</u></p>
9.2	<p>The site is located at no.71 Botanic Avenue in South Belfast. It consists of the ground floor unit of a 3-storey terraced property. The unit is currently in use as a hair dressing salon.</p>
9.3	<p>The area is predominantly mixed use with adjacent ground floor uses including more hot food bars, a hotel, an off license, restaurants, an optometrist and cafes. Upper floors are predominantly office accommodation. There is residential /student accommodation along Mount Charles to the south west of the site and on Upper Crescent to the rear.</p>
	<p><u>Consideration</u></p>

<p>9.4</p> <p>9.5</p> <p>9.6</p> <p>9.7</p> <p>9.8</p> <p>9.9</p> <p>9.10</p> <p>9.11</p>	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • The principle of a café/bistro with take away facilities at this location; • Impact on amenity of neighbouring properties; • Impact on traffic flow; <p>As above, there is a mix of uses in the area. The site is located within a popular commercial part of Botanic Avenue. It is also close to a variety of retail outlets, bars and restaurants. It is therefore considered that a hot food bar would not be out of character in the area and would in fact add to the vitality of the area.</p> <p>The SPPS refers to Economic Development, Industry and Commerce and Regional Strategic Objectives listed include (para 6.82):</p> <ul style="list-style-type: none"> • <i>support the re-use of previously developed economic development sites and buildings where they meet the needs of particular economic sectors;</i> • <i>promote mixed-use development and improve integration between transport, economic development and other land uses, including housing;</i> <p>The proposal is not contrary to these objectives.</p> <p>DCAN 4 refers to four general areas of concern for fast food outlets:</p> <ul style="list-style-type: none"> • noise disturbance • smells/fumes; • refuse/litter • traffic/parking; and, • provision for people with disabilities. <p>The Council’s Environmental Health Unit was consulted about the proposed development in terms of noise, light, air pollution, general amenity, ambient air quality and contaminated land. It has no objection to the proposal subject to a condition relating to the installation and maintenance of the odour abatement system as shown in the drawing provided. It also requested the inclusion of an informative relating to The Clean Neighbourhood and Environment (NI) Act 2011.</p> <p>With the installation of the proposed odour abatement system it is considered that nearby residents will not be adversely affected by the proposal. There are no changes to the front elevation and accordingly the proposal will not impact on the character of the ATC.</p> <p>Transport NI was consulted and have no objection to the proposal.</p> <p>Having regard to the relevant planning policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.</p>
<p>Neighbour Notification Checked: Yes</p>	
<p>Summary of Recommendation: Approval Subject to Conditions</p>	
<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p>	

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

2. Prior to the commencement of operation of the proposed restaurant/café with hot food carry out facilities a proprietary odour abatement system shall be installed in accordance with Drawing No.02, date stamped 21 February 2017, to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation ducting shall terminate at a height not less than 1m above the eaves of the main building and it should be directed away from nearby offices, as per drawing no 02. The extraction and ventilation system shall be cleaned and maintained in accordance with the manufacturer's instructions to ensure compliance.

Reason: Protection of Amenity

Informatives

1. The applicant is advised to contact NIW Waterline on 03457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

2. This development requires the installation of a grease trap.

3. THE CLEAN NEIGHBOURHOOD AND ENVIRONMENT (NORTHERN IRELAND) ACT 2011

NOISE/ODOUR

1. In order to reduce the impact of possible odours and noise generated by any proposed extraction and ventilation system, the applicant should consult relevant industry guidance, such as: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by DEFRA in January 2005. (DEFRA/NETCEN Guidance <http://www.defra.gov.uk/environment/noise/research/kitchenexhaust.pdf>)

2. The applicant is advised to ensure that all plant and equipment associated with the proposal is so situated, operated and maintained as to prevent the transmission of noise and odour to nearby offices.

ANNEX	
Date Valid	21 February 2017
Date First Advertised	03 March 2017
Date Last Advertised	
Details of Neighbour Notification (all addresses)	
<p>The Owner/Occupier, 6 Crescent Gardens, Malone Lower, Belfast, Antrim, BT7 1NS The Owner/Occupier, 69 Botanic Avenue, Malone Lower, Belfast, Antrim, BT7 1JL The Owner/Occupier, 71 Botanic Avenue, Malone Lower, Belfast, Antrim, BT7 1JL The Owner/Occupier, 73 Botanic Avenue, Malone Lower, Belfast, Antrim, BT7 1JL The Owner/Occupier, 78-80, Botanic Avenue, Malone Lower, Belfast, Antrim, BT7 1JR</p>	
Date of Last Neighbour Notification	06 March 2017
Date of EIA Determination	N/A
ES Requested	No
Representations for Elected Representatives: None	
Notification to Department (if relevant): N/A	

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA04/2016/1763/F	Target Date:
Proposal: Proposed demolition of existing building and construction of 6 storey building with ground floor retail unit with offices on upper floors.	Location: 22-24 Berry Street Town Parks Belfast
Referral Route: Major application	
Recommendation:	Approval Subject to Conditions
Applicant Name and Address: Alan Flynn 11 Lohercannon Tralee Co.Kerry	Agent Name and Address: ERES Limited Mourne House 41-43 Downshire Road Newry BT34 1EE
<p>Executive Summary: The application seeks full planning permission for the demolition of existing building and construction of 6 storey building with ground floor retail unit with offices on upper floors.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - The acceptability of proposed office and retail uses - Scale, Massing and Design - The demolition of a building in a Conservation Area - Impact upon character and appearance of City Centre Conservation Area - Historic Monuments and Built Heritage - Traffic/ Parking <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within the City Centre Conservation Area and the Old City Character Area (Designation CC0009). The principle of the retail unit and offices are acceptable given the sites location within the city centre's Primary Retail Core and the planning history on the site, with an almost identical proposal granted on 9th February 2009 under application reference Z/2008/0931/F.</p> <p>The proposal has been assessed against the following Policies – Strategic Planning Policy for Northern Ireland, Planning Policy Statement 4: Planning and Economic Development, Planning Policy Statement 3: Access Movement and Parking and Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.</p> <p>Demolition of the existing building is considered under associated application LA04/2016/1262/DCA. The demolition of the building has already been granted in principal under application Z/2008/1173/DCA, approved 9th February 2009. In light of the proposed replacement building being found acceptable, the existing building making no material contribution to the character of the conservation area, as well as the planning history on the site, the demolition is deemed acceptable.</p>	

The proposal respects the character of Berry Street and with a contemporary take on traditional proportions, will enhance the character of the City Centre Conservation Area.

NIWater, Waste Management Unit, NIEA Historic Buildings and Monuments Units and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

The Director of Planning and Place is authorised to draft any necessary amendments to/ additional conditions in respect of the Planning Applications Schedule.

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

Signature(s):

Case Officer Report	
Site Location Plan	
1.0	Description of Proposed Development Proposed demolition of existing building and construction of 6 storey building with ground floor retail unit with offices on upper floors. The fifth floor is set back into a mansard roof. Dark Blue natural slates to roof, buff render finish to walls with dark grey window frames and doors. Natural Mourne Granite to be used for window cills.
2.0	Description of Site Established 3 storey building on corner site off narrow inner city street.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	Z/2008/1173/DCA - Demolition of existing derelict building. Approved 9 th February 2009.
3.2	Z/2008/0931/F - Demolition of existing derelict building and construction of new five-storey building with ground floor retail unit and offices on upper floors. Approved 9 th February 2009.
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015 Policy R1 Retailing in City and Town Centres Policy OF1 Belfast City Centre, Lisburn City Centre and other town centres
4.2	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
5.0	Statutory Consultees Transport NI – No objection subject to conditions Historic Environment Division – No objection subject to conditions WaterNI – No objections
6.0	Non-Statutory Consultees Environmental Health BCC – No objection
7.0	Representations None received
8.0	Other Material Considerations City Centre Conservation Area guidance document
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - The acceptability of proposed office and retail uses - Scale, Massing and Design - The demolition of a building in a Conservation Area - Impact upon character and appearance of City Centre Conservation Area - Historic Monuments and Built Heritage - Traffic/ Parking

9.2	<p>The acceptability of proposed office and retail uses</p> <p>The site is located within the development limits of the Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below. The site is located within the Old City Character Area (CC009), the City Centre Conservation Area and the Primary Retail Core as designated in BMAP.</p>
9.3	<p>In terms of the retail unit at the ground floor level the proposal sits comfortably with policy R1 of BMAP which states that planning permission will be granted for retail development in all town and city centres. The site is also located within the Primary Retail Core.</p>
9.4	<p>The Office element of the proposal has been assessed against Policy OF1 of Volume 1 of BMAP. The Policy States that planning permission will be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order within Belfast City Centre. The proposal therefore sits comfortably with this Policy.</p>
9.5	<p>The proposal has been assessed under Policy PED1 and PED9 of PPS4. Policy PED1 states that a development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan). Accordingly the proposal satisfies the requirements of this policy.</p>
9.6	<p>Scale, Massing and Design</p> <p>The Old City Character Area sets out a number of urban design criteria for proposals within that designation. One of the general criteria relates to proposals respecting the heights of adjacent buildings. Although the proposed building at six storeys high is considerably taller than the building it is replacing (3 storeys), the shoulder height of the building is lower to that of the building to the immediate rear and almost identical to the cornice height of the main building along Berry Street (currently H&M), with the top floor stepped back to respect this. The building immediately east of and adjacent to the site is only three storeys, but as with the building on the site this is something of an anomaly in this area. For this reason and in light of the recent approval on the site for a five storey building, the proposal is acceptable and should sit comfortably within the existing streetscape, taking its lead from the predominant shoulder height along Berry Street, and reflecting the vertical emphasis of the existing traditional form.</p>
9.7	<p>The demolition of a building in a Conservation Area</p> <p>The proposal has been assessed against Policy BH14 of PPS6. The building has some aesthetic qualities however given its scale relative to the existing streetscape, and its location, it makes no real material contribution to the character of the Conservation Area. The proposed replacement is deemed acceptable and thus demolition can be consented. It is also worth noting that demolition of the existing building has already been granted in February 2009 under application Z/2008/1173/DCA. A proposal for demolition accompanies the application (LA04/2016/1775/DCA).</p>
9.8	<p>Impact upon character and appearance of City Centre Conservation Area</p> <p>The proposal has been assessed against Policy BH12 of PPS6. The site is located within the City Centre Conservation Area. The built form ties in with the predominant cornice line along the upper floor of the H&M building which runs almost the entire length of Berry Street. The existing window:wall ratio has been respected in the new building with a strong vertical emphasis reflecting the traditional proportions along the street. From a conservation point of view the opportunity has been taken to enhance of the character and appearance of the area.</p>
	<p>Historic Monuments and Built Heritage</p>

9.9	The proposal has been assessed against policy BH11 of PPS6. Historic Environment Division (HED) were consulted to consider whether the application affects HB26/50/107 Ulster Reform Club, 4-6, Royal Avenue, Belfast a Grade B+ listed building of special architectural or historic interest as set out in Section 80 and protected under the Planning Act (NI) 2011.
9.10	HED Historic Buildings have noted that the development site is separated from the listed Ulster Reform Club by a tall building. The proposal also faces onto a different street and on the basis of the information provided HED has no comment to make, as the listed building is sufficiently distant to remain unaffected by this application.
9.11	The proposal has been assessed against Policy BH2 and BH4 of PPS6. The application site is within the Belfast Area of Archaeological Potential (AAP) designated under the Belfast Metropolitan Area Plan (BMAP) to protect the aboveground and below-ground archaeological remains associated with the early development of the settlement. It is also in close proximity to a number of archaeological monuments and Industrial Heritage sites of local importance; and is also within the supposed area of the 1649 Battle of Belfast.
9.12	Historic Environment Division: Historic Monuments (HED: HM) has considered the impacts of the proposal. HM is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i> , as per Policy BH 4 of PPS 6. The attached condition is detailed below at 11.4.
9.13	Traffic/ Parking The proposal has been assessed against PPS3. Transport NI have considered the Transport Assessment, Travel Plan and Service Management Plan submitted in support of the application and found the proposal acceptable based on the provision of sustainable alternatives, recommending approval subject to conditions detailed at 11.2 and 11.3.
10.0	Summary of Recommendation: Approval
10.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.
10.2	The proposed demolition is deemed acceptable in that the existing building makes no material contribution to the character of the City Centre Conservation Area and demolition of the building has already been allowed under a previous consent. The proposed replacement building respects the main cornice height along Berry Street and although a storey higher than the previous approval on the site the top floor is set back which will ensure the cornice height of the H&M building is followed through on the streetscape. The proposal, with a contemporary take on traditional proportions and fenestration, will enhance the character of the Conservation Area.
11.0	Conditions
11.1	As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: Time Limit
11.2	The development hereby permitted shall operate in accordance with the approved Travel Plan and Service Management Plan within the Transport Assessment Form bearing the

	<p>Belfast City Council Planning Office date stamp 09 November 2016. This includes provision of the Translink TaxSmart Initiative and the Bike2Work Initiative and measures to encourage sustainable travel by staff and visitors agreed with TransportNI.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and servicing arrangements in the interests of road safety and the convenience of road users.</p> <p>11.3 A minimum of 2 No. cycle parking spaces and showers facilities shall be provided and permanently retained within the development for use by staff and visitors in accordance with the approved Travel Plan within the Transport Assessment Form bearing the Belfast City Council Planning Office date stamp 09 November 2016.</p> <p>Reason: to encourage the use of alternative modes of transport for development users.</p> <p>11.4 No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>11.5 Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>Informatives: The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Regional Development for which separate permissions and arrangements are required.</p> <p>Notwithstanding the terms and conditions of the Department of Environment's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Transport NI Section Engineer through the relevant Section Office (Belfast North, 148-158 Corporation Street, BT1 3DH, Belfast). A monetary deposit will be required to cover works on the public road.</p> <p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.</p>
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	<p>All construction plant and materials shall be stored within the curtilage of the site. Eastern Division Hydebank 4 Hospital Road BELFAST BT8 8JL</p> <p>It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.</p> <p>The applicant is advised to ensure that all plant and equipment used in connection with the retail unit is so situated, operated and maintained as to prevent the transmission of noise to nearby commercial premises.</p> <p>In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management should be submitted to Belfast City Council for approval. The site investigation, risk assessment and (if necessary) remediation strategy and verification report, must be undertaken in accordance with current best practice.</p> <p>In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management should be submitted to Belfast City Council for approval. The site investigation, risk assessment and (if necessary) remediation strategy and verification report, must be undertaken in accordance with current best practice.</p> <p>For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact: Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St Belfast, BT2 7EG Quote reference: SM11/1 ANT 061:017</p> <p>Application for the excavation licence, required under the <i>Historic Monuments and Archaeological Objects (NI) Order 1995</i>, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to: Historic Environment Division – Historic Monuments Unit Causeway Exchange 1–7 Bedford St Belfast, BT2 7EG</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member

Neighbour Notification Checked	Yes
ANNEX	
Date Valid	12th August 2016
Date First Advertised	2nd September 2016
Date Last Advertised	2nd September 2016
Details of Neighbour Notification (all addresses) 2-10 Berry Street, Town Parks, Belfast, Antrim, BT1 1FJ, 8-10 Berry Street, Town Parks, Belfast, Antrim, BT1 1FJ, Berry Street Presbyterian Church, Berry Street, Town Parks, Belfast, Antrim, BT1 1FJ,	
Date of Last Neighbour Notification	31st August 2016
Date of EIA Determination	N/A
ES Requested	No
Drawing Numbers: 01/A, 02/A, 04/C, 05/A	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

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Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 13 th April 2017	Item Number:
Application ID: LA04/2016/2267/F	
Proposal: 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	Location: Site C, Gasworks Office Park, Cromac Place, Belfast.
Referral Route: Major Planning Application	
Recommendation: Approval	Approve - Subject to Condition and a Section 76 Agreement
Applicant Name and Address: Inislyn Ltd 128a Eglantine Avenue Belfast BT9 6EU	Agent Name and Address: Strategic Planning 1 Pavillions Office Park Kinnegar Drive Holywood BT18 9JQ
<u>ADDENDUM REPORT</u>	
<p>Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.</p> <p>Since the initial report was completed a total of 46 letters of objection and one letter of support have been received.</p> <p>The objection letters raise the following points of concern:</p> <ol style="list-style-type: none"> <li style="margin-bottom: 10px;">1. <i>Inadequacies in the level of pre-application community consultation;</i> Given the level of consultation stated in the Pre-application Community Consultation Report it is considered that the applicant has carried out their duty under Section 27 of the Planning Act. <li style="margin-bottom: 10px;">2. <i>No Masterplan adopted for Gasworks Northern Fringe. The approval of this application will set a precedent for the remainder of the Northern Fringe and how it will be developed;</i> To date a masterplan has not been adopted for the wider Gasworks area. Any subsequent planning application received in the vicinity of the application site must be assessed on its individual merits. <li style="margin-bottom: 10px;">3. <i>More weight should be attached to the Social Housing Zoning in the Belfast Metropolitan Area Plan;</i> Capacity exists within the remainder of the Social Housing zoning, on what are arguably more suitable sites, to accommodate the housing need in the area. <li style="margin-bottom: 10px;">4. <i>Scale, massing and design is a concern particularly in relation to potential impact on residential properties on McAuley Street and Stewart Street, exacerbated by level change between site and adjacent properties;</i> The scale, massing and design of the proposed building are in keeping with the mixed use Gasworks area. The design and finishes reflect the industrial heritage of the area with strong vertical emphasis and a predominantly red-bricked finish. The building steps down towards the 	

existing dwellings to the north with a separation distance of approximately 26m. The rear garden of the existing dwellings is approximately 1.5m lower than the site. An existing wall of approximately 3m in height (on the side of the existing dwellings) already has an impact in terms of loss of light and dominance, as it is located a short distance (4.5m) from the rear of these dwellings. Given the separation distance of 26m there should be no significant difference from the current situation in terms of impact on amenity to the rear of the existing dwellings.

Obscure glazing is proposed on the first to third floor windows on the rear elevation of the building. A 2m high obscure panel can be conditioned to ensure that there will be no unacceptable level of overlooking onto the rear of the adjacent dwellings, if the Committee are minded to approve.

5. *The proposed access road is not 'future proofed' for the high levels of traffic that will be using it in the future;*

TransportNI have been consulted on the proposal and are satisfied that the proposed road will adequately serve the development. As stated previously any further application on lands within the vicinity of the site must be assessed on their individual merits.

Summary

The late objections received have been fully taken into account.

In conclusion the recommendation remains as set out in the case officer's report and this addendum. The proposal is recommended for Approval subject to conditions and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions. If Committee is minded to agree with that recommendation, it is requested that authority be delegated to the Director of Planning & Place, in consultation with the Town Solicitor, to negotiate and enter into the said Agreement on behalf of the Council.

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 March 2017	
Application ID: LA04/2016/2267/F	
Proposal: 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	Location: Site C Gasworks Office Park, Cromac Place Belfast.
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: Inislyn Ltd 128a Eglantine Avenue Belfast BT9 6EU	Agent Name and Address: Strategic Planning 1 Pavillions Office Park Kinnegar Drive Holywood BT18 9JQ
<p>Executive Summary: The application seeks full planning permission for the 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</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - The acceptability of proposed office use - Scale, Massing and Design - Impact on amenity - Archaeological and Built Heritage - The impact on existing roads infrastructure/ acceptability of access arrangements - Contamination - Developer Contribution - Pre-Application Community Consultation <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It is also within a social housing zoning as designated in BMAP. The proposal is in keeping with the office/ commercial context of this part of the gasworks site and given the scale of the zoning and the level of identified housing need there is ample opportunity elsewhere in the zoning to cater for the local social housing need.</p> <p>In terms of height, scale, mass and design the proposal is considered acceptable in the context subject to conditions in respect of obscure glazing on north elevation. Historic Environment Division has considered the impacts of the proposal on the adjoining listed Former Ross Mineral Water Works Building, and on the Gas Office at 4-14 Cromac Quay buildings, and has offered no objection.</p> <p>Transport NI, NIWater, HED Historic Monuments Unit and Belfast City Council's Environmental</p>	

Protection Unit have offered no objections to the proposal and standard conditions are to be applied.

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

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

Recommendation

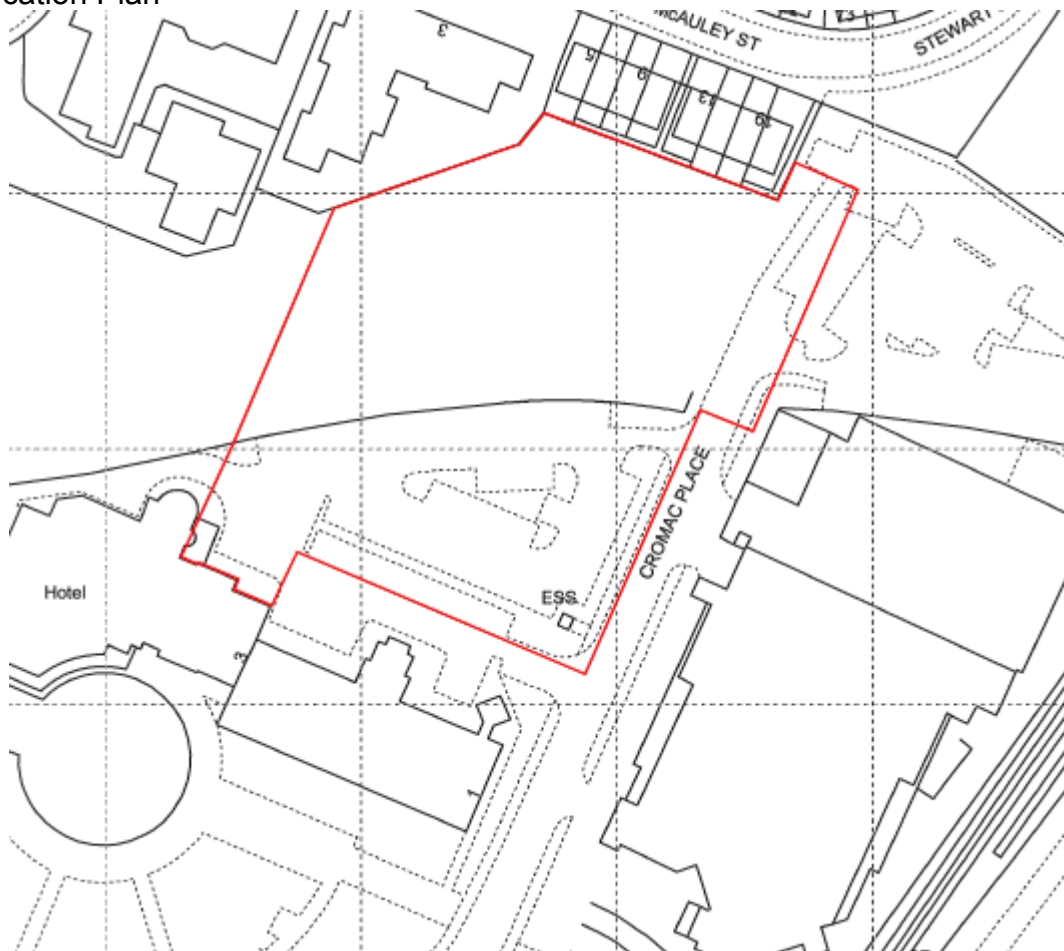
Approve subject to conditions set out in the case officer report and subject to the completion of an Agreement in respect of developer contributions. Contributions will help enhance connectivity between the city centre and the wider gasworks area, and promote connectivity with the surrounding residential streets.

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

Signature(s):

Case Officer Report

Site Location Plan



1.0	<p>Description of Proposed Development 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.</p> <p>The building is a flat roof structure with a maximum height of 27.5m (including rooftop plant) dropping to 16m to the four storey element to the north. The building has a red bricked frontage with vertically emphasised windows.</p>
2.0	<p>Description of Site 0.5 ha site largely dominated by car parking. Bollards define eastern boundary along Cromac Place with a 2.5m wall along Northern boundary with adjacent residential development.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History No recent planning history on site</p>
4.0	<p>Policy Framework</p>
4.1	<p>Belfast Metropolitan Area Plan 2015</p>
4.2	<p>SPPS Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage</p>

	<p>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</p>
5.0	<p>Statutory Consultees Transport NI – No objection subject to conditions NI Water – No objection NIEA Waste Management Unit – No objection subject to conditions NIEA Water Management Unit - No objection Historic Environment Division – No objection subject to conditions</p>
6.0	<p>Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions</p>
7.0	<p>Representations One letter of objection have been received. The following points of concerns have been raised:</p> <ul style="list-style-type: none"> - Scale, Massing and Design - Inappropriate level of community consultation with local groups - Inadequacies in the pre-application community consultation process - Impact on residential amenity - The proposal will impact upon the way the wider area is developed
8.0	<p>Other Material Considerations DCAN 15 – Vehicular Access Standards</p>
9.0	<p>Assessment</p>
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - The acceptability of proposed use - Scale, Massing and Design - Impact on amenity - Archaeological and Built Heritage - The impact on existing roads infrastructure/ acceptability of access arrangements - Contamination - Developer Contribution - Pre-Application Community Consultation
9.2	<p>The Acceptability of proposed office use The site is located within a social housing zoning (CC04/08) as designated in the Belfast Metropolitan Area Plan and within the Laganside South and the Markets Character Area (CC0014). It is worth noting that the application site forms only a small part of the wider social housing zoning, measuring 2.76 Ha. There is ample opportunity within the area covered by this zoning to cater of the social housing needs of the local area (74 applicants in housing stress as of March 2016). Without prejudice and without pre-determining the outcome of any future planning application, arguably a more suitable location for housing would be the car park sites at the western area of the zoned lands as this is located along the established housing development at the junction of Ormeau road and Raphael Street. It would form a natural continuation to the two storey red-bricked terraced housing fronting onto the Ormeau Road, with the opportunity to maintain the area of roadside planting. If a similar density is applied to the vacant site to the south of this housing there is scope to provide for the social housing need as defined by the Housing Executive. Part of this site is also set aside as a 'City Centre Gateway'. This would provide the opportunity to create something of a landmark building of a larger scale, appropriately designed.</p>
9.3	<p>The site is also within close proximity to the gasworks, an area affected by high levels of contamination. The Housing Executive in their letter dated 9th June 2016 (initially submitted as part of Pre-application discussions) have acknowledged that a number of</p>

	adjacent social housing schemes have experienced substantial remediation costs which can lead to difficulties in delivering social housing. The site's location within an area where there are a number of large scale office/ commercial buildings would favour a similar use or mixed use as opposed to entirely housing in terms of viability.
9.4	Given that the wider social housing zoning is controlled by Belfast City Council, there is opportunity to provide a viable mixed use scheme within the Gasworks area, including this proposal, which will ensure the provision of social housing alongside employment, with linkages to the wider area.
9.5	Policy OF1 of the Belfast Metropolitan Area Plan states that Belfast City Centre is the first choice location for major office development. Whilst the site is zoned for social housing, given its city centre location the proposed office use in principle is also an acceptable land use.
9.6	In terms of the Urban Design Criteria set out in BMAP for the Laganside South and Markets Character Area there is a general requirement that development proposals shall take account of the height of adjoining buildings. As discussed below the scale of the building is on a par with the adjacent office / commercial buildings and steps down to four storey whilst providing an ample separation distance to the two and a half storey dwellings on McAuley Street.
	Scale, Massing and Design
9.7	The building's six storey flat roof form reflects the scale and massing of the existing office buildings and Radisson hotel within the vicinity of the site. The main six storey element of the building is located just over 30m north of the existing six storey Lighthouse Building, with its red-bricked finish and vertically emphasised glazing reflecting the character of this building. The scale is also on a par with the Lloyds Bank Building with a staggered height between six and eight storeys. The proposal will 'round off' a group of large office/ commercial buildings that define the character of this part of the Gasworks site, with the red-bricked warehouse style building with a strong vertical emphasis on the fenestration being something of an architectural nod to the industrial heritage of the area.
	Impact on Amenity
9.8	An existing Housing development abuts the North and North-west boundaries of the site. An impact will be experienced within the two and a half storey terraced dwellings to the north of the building on McAuley Street given the proximity of not only the building to the rear boundary but also the proposed access road. In terms of the building itself it should be noted that it drops to four storeys to the north towards these dwellings. The four storey section of the building is located 20-22m from the rear boundary of these properties and 25-27m from the rear wall of the dwellings. It is worth noting at this point that a wall, approximately 2.5m high, is located along the rear of the dwellings, and the dwellings sit slightly lower than the site. This effectively means that the rear of the dwellings are completely enclosed with the ground floor windows having little in the way of an outlook. Given the separation distances involved and the fact that a high wall is located approximately 4.5m from the rear wall of the dwellings there should be no significant exacerbation in terms of overshadowing/ loss of light experienced in the private amenity area to the rear. With a building of this scale there will undoubtedly be some loss of amenity in the rooms on the upper floors but given the 25-27m separation distance this impact should not be significant.
9.9	Given the number of windows on the north facing elevation of the proposed office block, the separation distances may minimise any potential overlooking, but the perceived level of overlooking must also be considered. To address any potential concerns, it is proposed

	<p>to condition 2m high obscured glazing from finished floor level to the north elevation windows. This will minimise any opportunity to look out onto the rear of the existing dwellings and will reduce the level of perceived overlooking.</p>
9.10	<p>Archaeological and Built Heritage The application is in close proximity to Gas Office at 4-14 Cromac Quay (Grade A) which is of special architectural and historic importance and is protected by Section 80 of the Planning Act (NI) 2011. Historic Environment Division, Historic Buildings (HED:HB) has considered the impacts of the proposal on the building and on the basis of the information provided, advise the proposal satisfies Policy BH 11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.</p>
9.11	<p>The proposed development site contains lands formerly occupied in the mid-19th century by sites of industrial heritage interest including the Belfast Abattoir on MacAuley Street and the Cromac Steam Saw Mill to the west, both sites of industrial heritage interest protected under the provisions of Policy BH 2 of PPS 6. The development site is also located close to the 18th century 'Cromack Dock' a short distance to the south.</p>
9.12	<p>Consequently, the application site has potential to contain below ground archaeological remains associated with 18th & 19th century industrial heritage activity in the vicinity. Historic Environment Division: Historic Monuments (HED: HM) has considered the impacts of the proposal. HED: HM is content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i>, as per Policy BH 4 of PPS 6. HED have requested that the attached conditions at 11.10 and 11.11 are attached to any planning approval, should approval be forthcoming.</p>
9.13	<p>Impact on existing roads infrastructure/ acceptability of access arrangements TransportNI initially requested a parking survey demonstrating parking appropriate to its use class under 'Belfast City Centre Core' Areas of Parking Restraint TRAN1. A statement was provided, stating that 100 parking spaces are located within the existing car park, these serve the Radisson Hotel and the Lighthouse Office Building. 44 of these spaces are to be retained in situ and 56 spaces are to be relocated in a reconfigured car park, therefore no loss of existing spaces. As per the BMAP parking requirement (TRAN1) 23 spaces are needed to serve the proposal (1/300 square metres), and these are provided in the reconfigured car park.</p>
9.14	<p>Contamination A letter report has been provided by RPS Ireland Ltd in support of this application. The letter includes additional discussion and interpretation of the available soils and groundwater contamination data from on and off site. NIEA Waste Management Land and Groundwater Team are satisfied that a detailed conceptual site model (CSM) has been presented.</p>
9.15	<p>Following an intrusive site investigation involving soil/water sampling along with ground gas monitoring and assessment of all data, one pollutant linkage has been identified which requires remediation. The reports have classified the on-site gassing regime as 'Characteristic Situation 2', thereby requiring gas protection measures to be installed within specified areas of the proposed building footprint in accordance with the recommended guidance.</p>
	<p>Waste Management Land and Groundwater Team and Environmental Services Department of</p>

9.16	BCC have no objections to the development provided conditions are placed on any Planning Decision Notice as recommended below at 11.4 – 11.9.
9.17	<p>Developer Contribution</p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with the Council to provide contributions to local environmental improvements.</p>
9.18	<p>In this case it is considered that this should primarily take the form of public realm improvements to the streetscape around the building and enhance pedestrian linkages and improve connectivity to the heart of the city and the residential areas to the north and west, and should specifically include contributions towards a pedestrian access between Cromac Place and Stewart Street/ McAuley Street to facilitate future access to the river front and potentially the new Lagan Bridge.</p>
9.19	<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>
9.20	<p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2016/0627/PAN) was submitted to the Council on 4th April 2016.</p>
9.21	<p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p>
9.22	<p>A Pre Application Community Consultation Report (September 2016) has been submitted in support of this application. The Report has confirmed the following:</p>
9.23	<p>The Public Event took place at The Radisson Blu Hotel on 23rd June 2016. This event was advertised in the Belfast Telegraph on 14th June 2016. A leaflet containing details of the event was delivered to residents in the Markets Area (including McAuley Street and Raphael Street) with copies placed in the local shop. Direct invites were issued to a number of Councillors, MLA's and an MP and Alderman, as well as a number of community groups.</p>
9.25	<p>A meeting was also held with the Markets Development on 24th May 2016 to introduce the proposal and seek community feedback</p>
9.26	<p>A total of approximately 20 people attended the event with a general view that the area was in need of regeneration.</p>
9.27	<p>A number of issues were raised during the course of the community consultation exercise:</p> <ul style="list-style-type: none"> - Housing Need and the fact the site is on a social housing zoning - Importance of connectivity, between the Markets and the Gasworks and beyond to Lagan Bridge - Proximity to dwellings on McAuley Street - Need for developer contributions - Support for Grade A office space and job creation - Community Needs to be kept informed - Pressure on local car parking

<p>9.28</p> <p>9.29</p> <p>9.30</p>	<p>In response to these points the planning agent has made the following comments:</p> <ul style="list-style-type: none"> - Advanced negotiations with potential tenants in order to create jobs - The site is considered unsuitable for Social Housing given lack of vehicular access from the Markets and contamination. Other sites in vicinity more suitable for social housing - The development allows for pedestrian and cycle connections between Gasworks and the Markets - Building steps down towards adjacent houses with significant separation distance - Developer willing to provide contributions - Community consultation has included residents, community groups, businesses and elected representatives - Parking schemes outside applicant's control. Area already at capacity. <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>Consideration of Issues</p> <ul style="list-style-type: none"> - Scale, Massing and Design - Scale, massing and design in keeping with the mixed use Gasworks area with the size of the building similar to that of buildings on adjacent sites. Design reflects industrial heritage of area with strong vertical emphasis and red-bricked finishes. - Inappropriate level of community consultation with local groups - Given the level of consultation stated in the Pre-application Community Consultation Report it would appear that the applicant has carried out their duty under Section 27 of the Planning Act. - Inadequacies in the pre-application community consultation process - As stated above based on the information contained within the Pre-application Community Consultation Report it would appear that the applicant has carried out their duty under Section 27 of the Planning Act in terms of the level and nature of community involvement - Impact on residential amenity - The building steps down towards the existing dwellings to the north with a separation distance of approximately 26m to the dwellings. Obscure glazing is proposed on the first to third floor windows on the rear elevation of the building. A 2m high obscure panel can be conditioned to ensure that there will be no unacceptable level of overlooking onto the rear of the adjacent dwellings. - The proposal will impact upon the way the wider area is developed - To date a masterplan has not been adopted for the wider Gasworks area. Each application must therefore be assessed on its individual merits.
<p>10.0</p> <p>10.1</p> <p>10.2</p>	<p>Summary of Recommendation:</p> <p>Office development located within an area defined by large scale office/ commercial buildings. Scale, massing and design appropriate to this context and reflective of the industrial heritage of the gasworks area. Although the site is located on a social housing zoning it occupies only a small portion of this zoning. There is scope within the zoning to accommodate for the housing need. The proposal should not have a significant impact on the amenity of the adjacent dwellings on McAuley Street subject to conditions.</p> <p>No objections have been offered from Statutory and non-statutory consultees.</p>
<p>11.0</p> <p>11.1</p>	<p>Conditions</p> <p>As required by Article 34 of the Planning (Northern Ireland) Order 1991, the development hereby permitted shall be begun before the expiration of 5 years from the date of this</p>

	<p>permission.</p> <p>Reason: Time Limit.</p> <p>11.2 The development hereby permitted shall not become operational until no more than 123 car parking spaces and associated hard surfaced areas for manoeuvring have been constructed in accordance with the approved layout Drawing No. 02 'Proposed Site Plan' bearing the Belfast City Council Planning Office date stamp 20 October 2016 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for parking.</p> <p>11.3 The development hereby permitted shall operate in accordance with the Travel Plan & Service Management Plan bearing the Belfast City Council Planning Office date stamp 20 October 2016.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles and in the interests of road safety and the convenience of road users.</p> <p>11.4 Prior to occupation the windows on the northern elevation will be obscure glazed to a height of 2m from finished floor level on each floor.</p> <p>Reason: In the interests of residential amenity.</p> <p>11.5 No development shall commence until the applicant has submitted a groundwater quality monitoring scheme to verify the groundwater quality pre, during and post development. This should include:</p> <ul style="list-style-type: none"> - Groundwater monitoring points (existing and proposed), - Suites of contaminants to be monitored for and, - The schedule for monitoring proposed. <p>If unacceptable risks to receptors are identified a remediation strategy will be required to address those risks.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>11.6 The development hereby permitted shall not be occupied until the remediation measures as described in the RPS, Remedial Strategy Report, Site C. Former Belfast Gasworks. November 2016; have been implemented to the satisfaction of the Planning Authority. The Planning Authority must be given 2 weeks written notification prior to the commencement of remediation work.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>11.7 After completing the groundwater monitoring and remediation works under Conditions 4, 5 and 9; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).</p> <p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p>
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11.8	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” available at http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf.</p>
11.9	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>Prior to the operation of the proposed development, the applicant shall provide to Belfast City Council, for approval, a Verification Report. This report must demonstrate that the remediation measures outlined in Section 6.0 of the RPS Ireland Limited, Remedial Strategy Report IBR0944/November 2016 Site C Former Belfast have been implemented. This verification report shall specifically address the following :-</p> <ul style="list-style-type: none"> • The structural barrier of the floor slab. • Ventilation measures. • Vapour and Gas resistant membrane. • Verification of depth of capping system in landscape areas and suitability of topsoil material.
11.10	<p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that gas protection measures in accordance with CIRIA C665 Characteristic Situation 2 have been installed throughout the building footprint of the proposed development. Furthermore verification or integrity testing shall be in accordance with the provisions of CIRIA C735.</p>
11.11	<p>Reason: The protection of human health</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p>
11.12	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use</p> <p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p>

11:13	<p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p> <p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>Informatives</p> <p>The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Regional Development for which separate permissions and arrangements are required.</p> <p>Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.</p> <p>All construction plant and materials shall be stored within the curtilage of the site.</p> <p>It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.</p> <p>Pedestrian Crossing Points across the proposed entrances are to be provided in accordance with the DTER/Scottish Office publication 'Guidance on the use of Tactile Paving'.</p> <p>The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site.</p> <p>The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.</p> <p>Failure to provide a satisfactory Verification Report may lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.</p> <p>The applicant is advised to ensure that all plant and equipment used in connection with the offices is so situated, operated and maintained as to prevent the transmission of noise to nearby properties.</p> <p>For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:</p> <p>Historic Environment Division – Historic Monuments</p>
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<p>Causeway Exchange 1-7 Bedford St Belfast, BT2 7EG Tel: 02890 823100 Quote reference: SM11/1 IHR 10010</p> <p>Application for the excavation licence, required under the <i>Historic Monuments and Archaeological Objects (NI) Order 1995</i>, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to: Historic Environment Division – Historic Monuments Unit Causeway Exchange 1-7 Bedford St Belfast, BT2 7EG</p>	
Neighbour Notification Checked	Yes
ANNEX	
Date Valid	20th October 2016
Date First Advertised	4th November 2016
Date Last Advertised	25th November 2016
<p>Details of Neighbour Notification (all addresses)</p> <p>1, 19 Raphael Street, Town Parks, Belfast, Antrim, BT7 2DD, 11, 13, 15, 17, 19 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BU, 2, 19 Raphael Street, Town Parks, Belfast, Antrim, BT7 2DD, 2-6 Unit 6, Raphael Street, Town Parks, Belfast, Antrim, BT7 2DD, 24 Cromac Place, Town Parks, Belfast, Antrim, BT7 2JB, 3 Cromac Place, Town Parks, Belfast, Antrim, BT7 2JB, 3 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BW, 42-54, Raphael Street, Town Parks, Belfast, Antrim, BT7 2DD, 5 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BU, 7 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BU, 9 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BU, Apartment 1, 1 – 1a Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 10, 1 – 1a Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 11, 1 – 1a Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 12, 1 – 1a Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 13, 1A Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BN, Apartment 14, 1A Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BN, Apartment 15, 1 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 16, - 19 1 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 2, 1 – 1a Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 20 – 29 1 Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP, Apartment 3, 1 – 1a Mcauley Street, Town Parks, Belfast, Antrim, BT7 2BP,</p>	

Apartment 30 – 39 ,1 Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BP, Apartment 4,1A Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BN, Apartment 40 - 45,1 Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BP, Apartment 5,6, 7,8, 9,1, 1a Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BP, Apartment 6,1 – 1a Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BP, CRI Building,2nd Floor,165-169 Donegall Pass,Belfast,N Ireland,BT7 1DT Flat 1, - 45 Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BP, Flat 5,-9 1,3 Mcauley Street,Town Parks,Belfast,Antrim,BT7 2BP, Lloyds Banking Group, 14 Cromac Place,Town Parks,Belfast,Antrim,BT7 2JB, Markets Community Centre,1 Market Street,Belfast,BT1 3JD The Lighthouse,1 Cromac Place,Town Parks,Belfast,Antrim,BT7 2JB, Unit 1,Raphael Street,Town Parks,Belfast,Antrim,BT7 2DD, Unit 2-6,Raphael Street,Town Parks,Belfast,Antrim,BT7 2DD,	
Date of Last Neighbour Notification	11 th November 2016
Date of EIA Determination	8 th November 2016
ES Requested	No
Drawing Numbers and Title 01, 02, 03, 04, 05, 06, 07	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	

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