

ADDENDUM REPORT	
Committee Meeting Date: 15 th November 2022	
Application ID: LA04/2021/2856/O	
Proposal: Proposed mixed use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd.	Location: Lands to east of West Link (A12) and south of Grosvenor Road; Lands at Grosvenor Road and intersection of Grosvenor Road and Durham Street; Lands to the east of Durham Street and north of Glengall Street; Lands at Glengall Street; Lands between Glengall Street and Hope Street including Europa Bus Station, Great Victoria Rail Station surface car parks at St Andrew's Square; Translink lands to west of Durham Street, south of BT Exchange building and north of Murray's Tobacco Works.
Referral Route:	Major development
Recommendation:	Approval subject to conditions and Section 76 planning agreement
Applicant Name and Address: NITHCO Chamber of Commerce House 22 Great Victoria Street Belfast BT2 7LX	Agent Name and Address: Juno Planning & Environmental Ltd 409 Lisburn Road Belfast BT9 7EW
Background <p>This addendum report should be read in conjunction with the original report to the 31 August 2022 Planning Committee, appended.</p> <p>The application was approved by the Planning Committee at its meeting on 31 August 2022. The Committee accepted the officer recommendation to grant planning permission, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions and planning agreement.</p> <p>The Committee will recall that the outline planning application proposed maximum vertical and horizontal parameters, the acceptability of which had been tested through an indicative scheme including VU.CITY model. The Vertical Parameter Plan showing the maximum height of buildings across the site contains a note which states that '<i>the extent of roof plant is to be minimised and included in overall height</i>'.</p> <p>The draft condition relating to the maximum vertical parameters stated:</p> <p>4. <i>No part of the development, including plant and other structural elements of the rooftop of buildings [emphasis], shall exceed the maximum height parameters as shown on Drawing Number 527-JMP-XX-XX-DR-A-2103 Revision P01 (Parameter Plan – Limits of vertical deviation above ground) uploaded to the Planning Portal on 10 August 2022.</i></p>	

Reason: To regulate the height and scale of development in the interests of good place making principles and character and appearance of the area.

The applicant has subsequently requested that condition 4, above, is amended to add 'unless the Council gives its prior written consent for any variation' so that there is some flexibility to allow plant and other structural elements of the rooftop to exceed the maximum height parameters.

Officers recognise that this would provide the applicant with greater commercial flexibility and officers envisage that exceedance of the maximum height parameter would only be acceptable where it would be minor and that the applicant has demonstrated through a Reserved Matters application that the change would have only a very limited visual impact.

It is therefore recommended that condition 4 is amended to the following:

4. *No part of the development, including plant and other structural elements of the rooftop of buildings [emphasis], shall exceed the maximum height parameters as shown on Drawing Number 527-JMP-XX-XX-DR-A-2103 Revision P0X [to be updated] (Parameter Plan – Limits of vertical deviation above ground) uploaded to the Planning Portal on XX 2022, **unless the Council gives its written approval to any variation through determination of application/s for approval of Reserved Matters for that part of the development.***

Reason: To regulate the height and scale of development in the interests of good place making principles and character and appearance of the area.

The Vertical Parameter Plan will be amended to reflect the above flexibility.

The Committee should be aware that the applicant has sought similar flexibility to allow exceedance of the maximum horizontal parameters. Condition 5 currently reads:

5. *No part of the development shall exceed the horizontal deviation parameters as shown on the following drawings uploaded to the Planning Portal on 10 August 2022.*
 - *Drawing Number 527-JMP-XX-XX-DR-A-2102 (Parameter Plan – Limits of horizontal deviation at ground, public realm + access); and*
 - *Drawing Number 1527-JMP-XX-XX-DR-A-2105 (Parameter Plan – Limit of horizontal deviation above ground).*

Reason: To regulate the scale and massing of development in the interests of good place making principles and character and appearance of the area.

However, officers consider that there is not the same argument for permitting flexibility for the horizontal parameters as there is for the vertical parameters; the latter specifically to allow discreet plant and other structural elements of the rooftop to be included as described above. Should the applicant wish to exceed the horizontal parameters shown in the approved plans then it is considered more appropriate for the applicant to apply for a Non-Material Change under Section 67 of the Planning Act (Northern Ireland) 2011. Very minor adjustments and *de minimis* changes to the horizontal parameters could potentially be agreed through that process.

Recommendation:

The recommendation remains to approve planning permission subject to conditions and a Section 76 planning agreement.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement.

Development Management Officer Report Committee Application

Summary

Committee Meeting Date: Wednesday 31st August 2022

Application ID: LA04/2021/2856/O

Proposal:

Proposed mixed use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd.

Location:

Lands to east of West Link (A12) and south of Grosvenor Road; Lands at Grosvenor Road and intersection of Grosvenor Road and Durham Street; Lands to the east of Durham Street and north of Glengall Street; Lands at Glengall Street; Lands between Glengall Street and Hope Street including Europa Bus Station, Great Victoria Rail Station surface car parks at St Andrew's Square; Translink lands to west of Durham Street, south of BT Exchange building and north of Murray's Tobacco Works.

Referral Route:

Major development

Recommendation:

Approval subject to conditions and Section 76 planning agreement

Applicant Name and Address:

NITHCO
Chamber of Commerce House
22 Great Victoria Street
Belfast
BT2 7LX

Agent Name and Address:

Juno Planning & Environmental Ltd
409 Lisburn Road
Belfast
BT9 7EW

Executive Summary:

Following approval from the Department of Infrastructure (DfI) for the "Belfast Transport Hub" (BTH) in March 2019 under application LA04/2017/1388/F, Translink has submitted an application for outline planning permission for redevelopment and regeneration of the adjacent lands. The application follows a Pre-Application Discussion with the Planning Service.

The '**Weaver's Cross Regeneration Project**' ("WX") proposes to redevelop lands freed up by the future closure of the existing Europa Bus Station and Great Victoria Street train station and other vacant lands in the ownership of Translink to the west of the BTH development.

The wider proposals are described by the applicant as being "transport-led regeneration" with particular focus on placemaking and public realm, promoting environmental sustainability and delivering economic and social value.

The planning application seeks outline permission for:

'Mixed use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd.'

All matters are reserved for subsequent approval, including:

- Siting
- Design
- External appearance
- Means of access, and
- Landscaping

Whilst these matters are reserved, the application is supported by a **Planning and Design Principles document (PDP)** and a series of **Parameters Plans** which would regulate the scope of development. These include:

- Maximum Vertical Parameters (maximum height of buildings)
- Maximum Horizontal Parameters both at ground floor and above ground (maximum building envelope)
- Land Use Parameters Plan (excluding residential use from parts of the development)
- Active Frontage and Uses Parameters Plan (ensuring active night-time uses in certain parts of the scheme in the interests of vibrancy and to deter anti-social behaviour)

The **PDP** proposes design principles that the reserved matters will adhere to including design, massing, height, materials, landscaping and public realm, private and public open space, amenity criteria, street layout, traffic, access and parking issues. The PDP is to be read in conjunction with the submitted Parameter Plans. If approved, it is envisaged that subsequent applications for approval of reserved matters will have to generally accord with the principles contained in the PDP, and fully comply with the Parameters Plans, and that this would be secured through planning conditions.

An indicative scheme has been provided to illustrate the proposed development. The indicative scheme has been designed to accord with the maximum parameters – it therefore allows the Council to test the suitability of the various Parameters Plans. The indicative scheme is supported by a VU.CITY model.

There are **three main zones** within the site known as:

1. "City Fringe"
2. "Saltwater Square"
3. "City Entries"

Pre-Determination Hearing

Section 30 (4) of the Planning Act permits the Council to hold a voluntary Pre-Determination Hearing (PDH) to give the applicant and interested parties an opportunity to appear before and be heard by a committee of the Council. Given the scale and nature of the proposed development and the number of representations, a PDH was held on 27th June 2022

The application is accompanied by an Environmental Assessment (ES) which concludes that subject to appropriate mitigation, the negative impacts (residual) impacts which could arise from the developments are either negligible or are not significant. Full details of the information submitted as part of the application are considered in detail in the report.

The main issues to be considered in the assessment of this outline application are:

- The principle of the proposed uses at these locations
- Regeneration, employment and investment
- Housing including affordable housing
- Transportation including transport sustainability, parking and impact on road safety
- Impact on the character and appearance of the area
- The impact on amenity of nearby residents and businesses
- Impact on Built Heritage and Archaeology
- Human Health
- Drainage and flood risk
- Wastewater infrastructure
- Natural Heritage
- Developer Contributions and Planning Agreement
- Pre-Application Community Consultation

The site is located within the development limit of Belfast in the BUAP 2001 and Draft BMAP 2015 (dBMAP, both versions). It is un-zoned, “white land” in the BUAP 2001 whilst under both versions of dBMAP 2015, the site is either “white land” or designated a Development Opportunity Site. This is detailed in the main report.

The proposal would support the regeneration of the area and augment the development of the Transport Hub (“Grand Central Station”). It would provide an important mixed-use development that would cater for a wide range of uses employment, retail, community issues and housing that would support the Council’s aims of increasing city centre living. The principle of development is considered acceptable.

The proposed height and horizontal parameters are considered justified and have been tested having regard to the visual information provided with the application and VU.CITY. The proposed design principles that subsequent reserved matters applications will need to follow are considered appropriate.

The site is a central and highly sustainable city centre location on the doorstep of the Transport Hub and with excellent access to public transport, shops, services and amenities. The proposal itself would not provide dedicated parking, however, this is considered appropriate given the availability of parking elsewhere within the city centre together with the highly sustainable location of the site.

The proposed development would contribute a minimum of 20% affordable housing and Developer Contributions towards employability and skills. It would support job creation and economy prosperity.

Statutory consultees including DfI Roads, DfC HED, DAERA NIEA, Shared Environmental Services (SES), DfI Rivers, NI Water, NI Electricity and Belfast City Airport have no objection to the proposal subject to conditions and Section 76 planning agreement as appropriate.

Non-statutory consultees including BCC Environmental Health, BCC Economic Development, BCC City Centre and Regeneration, and Northern Ireland Housing Executive (NIHE) and have no objection to the proposal subject to conditions and relevant Section 76 provisions. BCC Senior Urban Design Officer has no objection but recommends that some minor discrepancies in the submitted drawings are addressed.

At the time of writing, **158 representations** have been received. There are 14 letters of support whilst the remaining representations are considered objections. The vast majority of the objections relate to the removal of the Boyne Bridge and introduction of new pedestrian crosses associated with the Belfast Transport Hub, however, these elements have already approved under planning permission

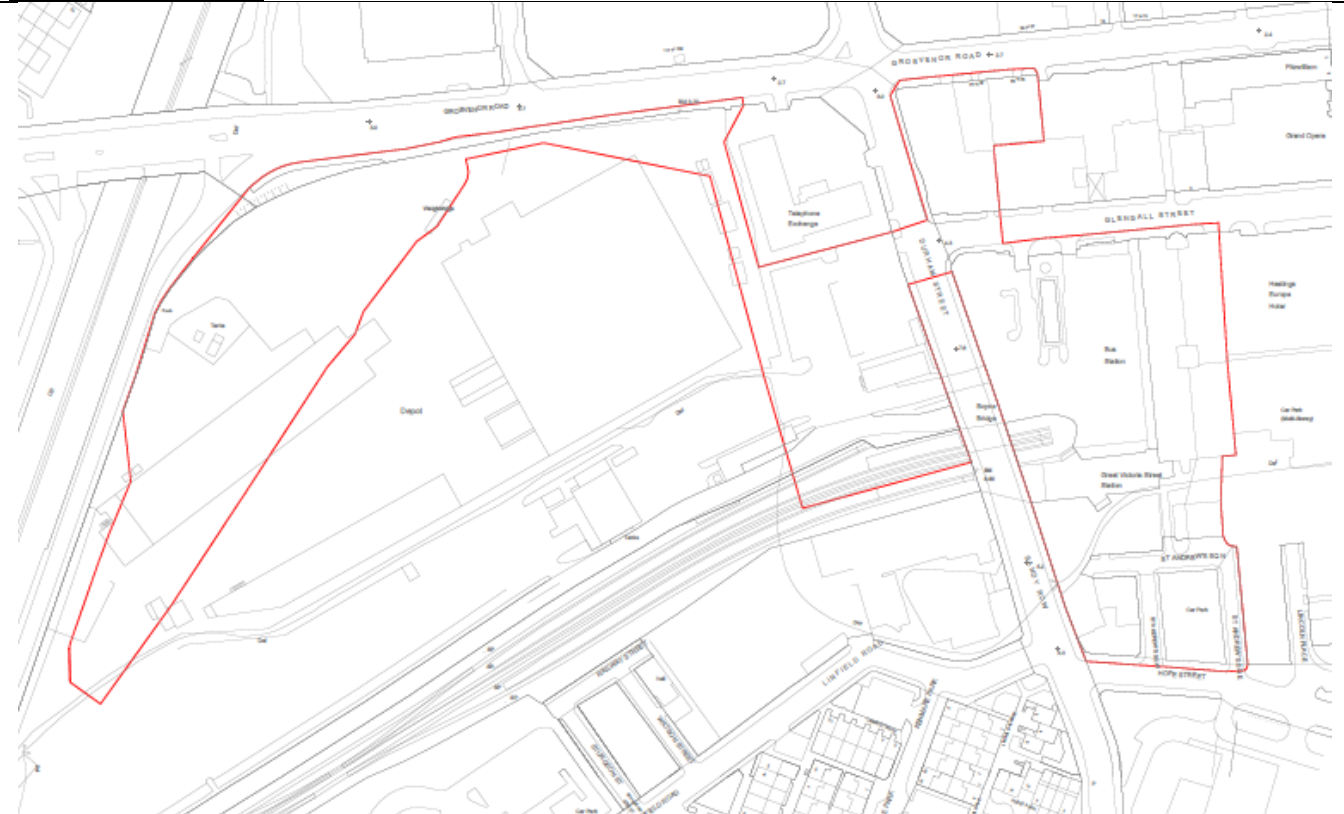
LA04/201/1388/F. The Boyne Bridge is located outside the application site (red line) for the current application. The objections are set out in more detail in the main report.

Having regard to the Development Plan and relevant material considerations, the proposed development is considered acceptable.

It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and Section 76 planning agreement, and resolve anomalies identified by the Senior Urban Design Officer as appropriate. Furthermore, to explore appropriate restrictions on hours of operation of the restaurants, bars, leisure. food and drink etc.

Main Case Officer Report

Site Location Plan



Site Layout of Indicative Scheme





CGIs





Characteristics of the Site and Area

1.0 Description of Proposed Development

1.1 The application seeks outline permission for a mixed-use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over part of the Transport Hub car park, to the east and west of Durham Street and south of Grosvenor Road.

1.2 All matters are reserved for subsequent approval:

- Siting
- Design
- External appearance
- Means of access, and
- Landscaping

1.3 Whilst all matters are reserved, the application is supported by a series of **Parameters Plans** which would regulate the scope of development. These Parameters Plans include:

- Maximum Vertical Parameters (maximum height of buildings)

	<ul style="list-style-type: none"> • Maximum Horizontal Parameters both at ground floor and above ground (maximum building envelope) • Land Use Parameters Plan (excluding residential use from parts of the development) • Active Frontage and Uses Parameters Plan (ensuring active night-time uses in certain parts of the scheme in the interests of vibrancy and to deter anti-social behaviour)
1.4	The application is also supported by a Planning and Design Principles ("PDP") document. The PDP proposes design principles that the reserved matters will have to adhere to including design, massing, height, materials, landscaping and public realm, private and public open space, amenity criteria, street layout, traffic, access and parking issues. The PDP is to be read in conjunction with the submitted Parameter Plans.
1.5	It is envisaged that subsequent applications for approval of reserved matters will generally have to follow the principles contained in the PDP and fully comply with the Parameters Plans, and that this would be secured through planning conditions.
1.6	An indicative scheme has been provided to illustrate the proposed development. The indicative scheme has been designed to accord with the maximum parameters so that these parameters can be tested. The indicative scheme is supported by visual material and VU.CITY model.
1.7	<p>The indicative scheme comprises three distinct areas:</p> <ol style="list-style-type: none"> 1. City Fringe (west of the site to the west of the Transport Hub) 2. Saltwater Square (centre of the site to immediate east of the Transport Hub) 3. City Entries (east part of the site in the location of the existing bus station)
1.8	The application does not contain proposed floor space figures for the development, but the indicative scheme comprises approximately 130,000 sqm.
1.9	The City Fringe zone of the site is located adjacent to the Westlink and the maximum heights proposed in the PDP are between 28 and 48 metres AOD.
1.10	Saltwater Square is already permitted as part of the Belfast Transport Hub. This outline applications proposes to bring forward two tall buildings to the north and south parts of Saltwater Square. The indicative scheme shows a taller building to the North (which will be a maximum height of 78 metres AOD) whilst the building to the south will be a maximum height of 34 metres AOD.
1.11	The City Entries part of the site comprises a continuous plot from the corner of Hope Street and Durham street to the corner of Durham Street and Grosvenor Road with maximum heights of between 26 and 54 metres.
1.12	The Saltwater Square and City Entry zones are proposed for mixed-use including residential. The City Fringe zone will not include residential use.
1.13	The application is supported by an Environmental Statement, Design and Access Statement and suite of other supporting documentation and technical reports.

2.0	<u>Description of Site and Area</u>
2.1	The site comprises 5.8 hectares (ha) and is located within the City Centre to the west of Great Victoria Street, south of Grosvenor Road, east of the M1 Westlink and alongside Durham Street. Low density housing at Sandy Row is located to the south. The topography of the site is relatively flat. It largely comprises the Europa Bus Station, Great Victoria Street train station and other vacant lands in the ownership of Translink.
2.2	The City Fringe zone is located adjacent to the Westlink on the western part of the site. Until recently this land was disused, however, it now contains a construction compound for the construction of the BTH. In March 2021, the Committee agreed to approve an office building of between 31m and 62m opposite the site on the north side of Grosvenor Road under reference LA04/2020/1666/F.
2.3	Saltwater Square is located centrally within the site, between the new BTH and Durham Street to the east. To the north is the BT Exchange building. To the south beyond the existing railway line is the former Murray's Tobacco Works, a Grade B+ Listed Building. The Listed Building is a 3-storey, red brick building constructed circa 1900. The building has a modern 3-storey extension which was constructed in 2011.
2.4	The City Entries comprises the existing Europa bus station and Victoria train station, and vacant lands at the corner of Hope Street and Grosvenor Roads. The adjacent land to the south east has extant permission for a 45m hotel building. This was approved in 2012 under Z/2009/1147/F and a Lawful Development Certificate was obtained for commencement works under LA04/2018/0110/LDE in 2019.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	Detailed planning history relevant to the proposal, including the application site and adjacent land, is summarised at Appendix 1 .
3.2	The application for planning permission (LA04/2017/1388/F) for the Belfast Transport Hub (BTH) was originally submitted to Belfast City Council but "called in" by the then Minister as a proposal of regional significance. The Transport Hub was granted planning permission by the Department for Infrastructure in March 2019.
3.3	The BTH application granted permission for a ' <i>New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements and temporary structures for bus operations during construction and temporary site construction compounds.</i> '
3.4	DfI is responsible for the discharge of conditions for the BTH planning permission.
3.5	There have been three Non-Material Change (NMC) applications relating to the BTH which have been considered and approved by the Council: <ul style="list-style-type: none"> LA04/2020/0136/NMC granted in April 2020 relating to minor elevational and layout amendments to temporary garage/maintenance structures.

3.6	<ul style="list-style-type: none"> LA04/2021/1291/NMC granted in January 2021 relating to minor engineering amendments to the footbridge at Blythefield Park. LA04/2020/1832/NMC granted in September 2021 relating to minor elevational and layout amendments to the main BTH building. <p>In addition to these NMC applications, a full application (LA04/2021/0108/F) for an extension to the covered walkway/colonnade approved under the BTH permission was approved by the Council in September 2021.</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014) Belfast Local Development Plan Draft Plan Strategy 2035</p>
4.2	<p>Regional Development Strategy 2035 Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 – Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Environment Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 8 – Open Space Planning Policy Statement 12 – Housing in Settlements Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 – Planning and Flood Risk Creating Places: Achieving Quality in Residential Developments (2000) Parking Standards (former Department of Environment) Developer Contributions Framework (adopted 2020)</p>
5.0	<p><u>Statutory Consultees (current position)</u> DFI Roads – no objection subject to conditions DFI Rivers – no objection subject to conditions DAERA NIEA Natural Heritage – no objections DAERA NIEA Land, Soil, and Air – no objections subject to conditions DAERA NIEA Water Management Unit – no objections subject to satisfactory response from NI Water DfC Historic Buildings – no objections DfC Historic Monuments – no objections subject to conditions Shared Environmental Services – no objection subject to conditions NI Water – no objection subject to conditions Belfast City Airport – consideration to be given to buildings over 60m impacting aviation</p>
6.0	<p><u>Non-Statutory Consultees (current position)</u> Northern Ireland Housing Executive – have indicated there is social housing need BCC Senior Urban Design Officer – no objections BCC Environmental Health – no objections subject to condition BCC City Regeneration and Development Team – no objections BCC Landscape Team – no objections BCC Economic Team – no objections subject to clauses in S76 regarding Employability and Skills NI Electricity – no objections</p>

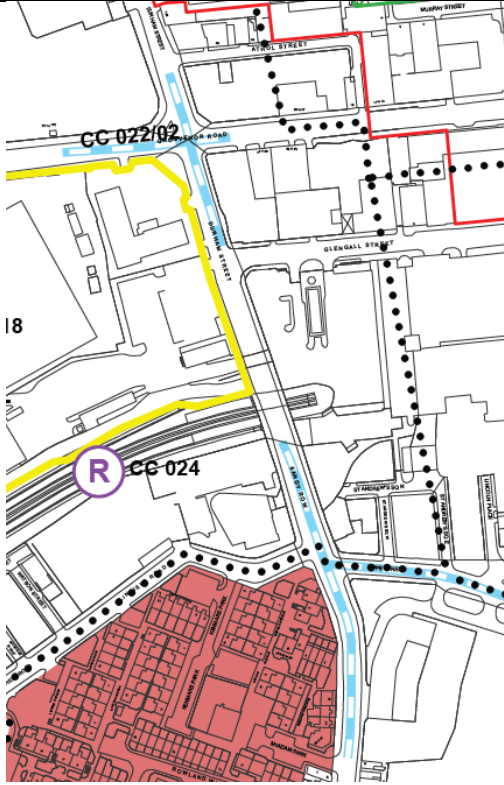
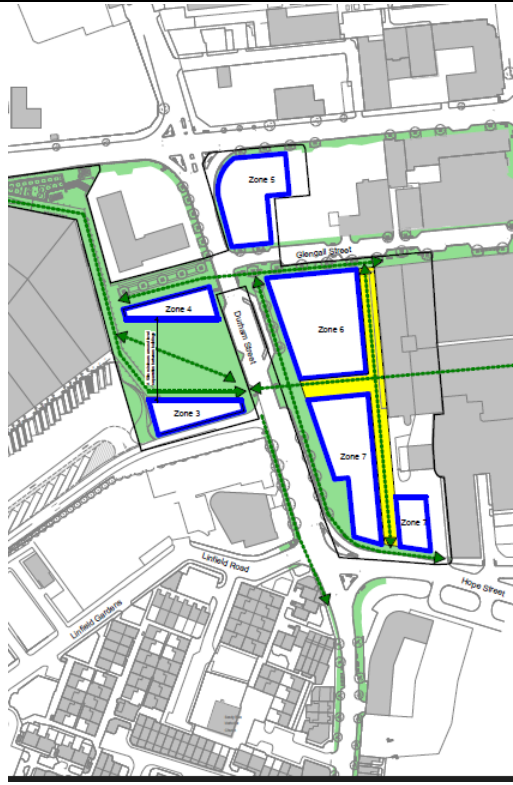
7.1	<u>Statutory Consultation</u>
7.1.1	The application was first advertised on 31 st December 2021 and was readvertised on 12 th August 2022 following the receipt of further information.
7.1.2	Neighbour notifications were issued on 12 th January 2022. Re-notifications were issued on 12 th August 2022.
7.2	<u>Representations</u>
7.2.1	At the time of writing, there are 158 representations. There are 14 letters of support whilst the rest are considered objections.
7.2.2	The objections are summarised as follows. <ul style="list-style-type: none"> a) Demolition of the Boyne Bridge causing loss of culture and history b) Replacement of Boyne Bridge with toucan crossing would lead to the risk of road accidents c) Concerns about the height and concentration of proposed buildings d) Wind and shadow effects of tall buildings e) Concerns regarding timeframes and phasing f) Importance of the approach to the city from the new BTH g) Accommodation of tour buses in the new BTH instead of at City Hall
7.2.3	Many of the objections are centred around points (a), (b) and (g) and refers to the new Belfast Transport Hub which was approved by the Department for Infrastructure under application reference LA04/2017/1388/F. The removal of the Boyne Bridge has already been established through the BTH planning permission. The application site for the current application excludes the BTH development and the Boyne Bridge. Any objections relating to the removal of the Boyne Bridge and BTH are therefore not relevant to the current planning application.
7.2.4	The representations in support of the application are summarised as follows: <ul style="list-style-type: none"> • Welcome a regeneration-led project • Increased catchment for the retail industry • Provision of much needed connectivity • Contribution to regeneration of Linen Quarter • Positive contribution to economic, environmental and social vitality of the locale • Welcomes proposed Saltwater Square and permeability of routes • Potential for community events • Provision of Grade A office space to encourage investment • Promotion of sustainable transport • The proposal's focus on social value • Potential to contribute to the educational and medical innovation economies • Potential to rebuild city tourism • Potential to contribute to the hospitality sector • Potential to contribute to educational institutions nearby • Will encourage city centre living
8.0	<u>ASSESSMENT</u>
8.1	<u>Development Plan</u>
8.1.1	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.
8.1.2	Following the Court of Appeal decision on dBMAP 2015 (v2014) in May 2017, the extant development plan remains the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 (v2014) had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, dBMAP 2015 (v2014) is considered to have significant weight.
8.1.3	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 DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 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 the transitional period planning authorities will apply existing policy together with the SPPS.
8.1.4	<u>Key issues</u>
8.1.5	<p>The main issues relevant to the consideration of this application are:</p> <ul style="list-style-type: none"> • The principle of the proposed uses at these locations • Regeneration, employment and investment • Housing including affordable housing • Transportation including transport sustainability, parking and impact on road safety • Impact on the character and appearance of the area • The impact on amenity of nearby residents and businesses • Impact on Built Heritage and Archaeology • Human Health • Drainage and flood risk • Wastewater infrastructure • Natural Heritage • Developer Contributions and Planning Agreement • Pre-Application Community Consultation
8.2	<u>The Principle of the proposed uses at this location</u>
8.2.1	The site is located within the development limit of Belfast and is un-zoned "white land" in the BUAP and draft BMAP 2015 (both versions). However, a portion of the site is a Development Opportunity Site subject to a number of Key Site Requirements in both version of dBMAP. The presumption is therefore in favour of development subject to the policy considerations discussed below.
8.2.2	<p>The Key Site Requirements of the Development Opportunity Site are:</p> <ul style="list-style-type: none"> • A masterplan shall be submitted to the Department including a landmark building of 15 storeys at the junction of Grosvenor Road and Durham Street – the outline application effectively serves as a masterplan outline permission. The site

	<p>requirement for a landmark building in the specified location is not included due to it not being in the applicant's ownership. However, landmark buildings are proposed in Saltwater Square instead which are considered appropriate.</p> <ul style="list-style-type: none"> • Provision of a new Transport Hub – this has been approved by the Department. • Proposals shall not include the use of ground floor frontages for parking – other than development within City Fringe, the scheme is compliant with this requirement. It is envisaged that the City Fringe, which is located on a car park approved under the BTH permission, will incorporate this parking. The detail of this will be dealt with at the Reserved Matters stage. • Development proposals shall facilitate the City Centre Ring Road – DfI Roads have stated that this scheme is not progressing and there are currently no plans for it to do so. DfI Roads have not raised any objections with regards to this issue in their consultation response. In this regard, the proposal is considered acceptable.
8.2.3	The proposal would support regeneration of the area and augment the development of the Transport Hub ("Grand Central Station"). The proposed development would make effective use of previously developed land and provide an important mixed-use scheme that would cater for a wide range of uses employment, retail, community issues and housing that would support the Council's aims of increasing city centre living.
8.2.4	Moreover, the site is a highly central and sustainable city centre location on the doorstep of the Transport Hub with excellent access to public transport, shops, services and amenities.
8.2.5	Having regard to the development plan and these material considerations, the principle of development is considered acceptable.
8.3	<u>Regeneration, employment and investment</u>
8.3.1	The proposal would support the regeneration of the area, including the Europa Bus Station and Great Victoria Street Train Station once vacated, and development of brownfield land following the opening of the new Belfast Transport Hub.
8.3.2	It is expected that the proposal will deliver a minimum of 400 new homes and at least 80 affordable housing units, which would support people in housing need.
8.3.3	<p>The proposal provides significant opportunity for investment and job creation, both during construction and on operation. The applicant is proposing a Social Value Plan which would be delivered by the developer of the site. The developer will prepare the Social Value Plan, which will address the following key economic and social value themes:</p> <ul style="list-style-type: none"> a) Jobs – promoting local skills and employment; b) Growth – supporting growth of responsible regional businesses; c) Social – healthier, safer and more resilient communities; d) Environment – decarbonising and safeguarding our world; e) Innovation – promoting social innovation; f) Diversity and Inclusion – recognising, promoting and leveraging our differences
8.3.4	The developer will be responsible for the delivery of social value activities and will be required to report on social value delivery at regular intervals utilising both the (i) Department of Finance PPN/21 Scoring Social Value model and (ii) the Social Value Portal TOMs Framework. This is broadly consistent with the Employability and Skills Plans which the Council as Planning Authority has been securing for Major developments having regard to the Developer Contribution Framework.

8.3.5	The Council's Economic Development Unit supports the requirement for Developer Contributions for Employability and Skills for both the construction and operational phases. This will be secured as part of the Section 76 planning agreement.
8.3.6	The application is supported by an Employability and Skills Assessment (ESA) which has been considered by the Council's Economic Development Unit. The applicant states that the construction phase is expected to last for 20 years is anticipated to generate some 4,280 FTE jobs whilst the operational phase is expected to generate in excess of 5,000 FTE jobs. This represents £313.8m of capital expenditure and a Gross Development Value of £380m.
8.3.7	BCC City Regeneration and Development welcomes the regeneration of the site and wider area, proposed active uses, delivery of residential including affordable housing as well as the sustainable travel strategy for the development.
8.4	<u>Housing including delivery of affordable housing</u>
8.4.1	The emerging Local Development Plan and <i>Belfast Agenda</i> highlight the importance of increasing the residential population in the city centre.
8.4.2	The applicant is committed to delivering a minimum of 21% of the overall floorspace of the proposal (26% of the City Entries and Saltwater Square) as residential. Of this residential element, 20% would be brought forward as affordable housing (either social housing or intermediate housing). The indicative scheme provided with the application comprises circa 130,000 sqm of floor space. This would equate to around 27,300 sqm of residential floor space. According to the applicant, this would provide approximately 400 residential units (and 80 affordable housing units)
8.4.3	Northern Ireland Housing Executive (NIHE) was consulted and confirms that there <i>'...continues to be a strong housing need in Belfast with a social housing waiting list of 12,237 households with 9,307 in housing stress (March 2022). Demand is increasing year by year and our projection of social housing need indicates a requirement for 6,125 new social homes across the Council area over the 5 year period 2021-2026'</i> .
8.4.4	NIHE <i>'supports applying 21% minimum residential use to the application, which would equate to around 400 properties. The potential to increase this to approximately 800 properties, depending on market conditions during the development period is also welcomed. Housing Executive supports a minimum of 20% social/intermediate housing provision across the residential development.'</i> The NIHE estimates intermediate housing demand to be 140 homes per year and <i>'would welcome the inclusion of accommodation to help address the demand for intermediate housing in the Belfast City Council area'</i> .
8.4.5	The applicant's commitment to provide a minimum of 21% of the overall floor space of the scheme as residential is welcomed in the interests of the delivery of a genuine mixed used development that will contribute to the Council's objectives of promoting city centre living. It will also result in a meaningful contribution of new affordable housing. Whilst it would be preferable to increase this minimum threshold, the applicant is concerned about retaining commercial flexibility and this point is accepted.
8.4.6	The applicant's commitment to delivering a minimum of 20% of the residential floor space as affordable housing is also welcomed in the context of the substantial unmet need for social housing in the city as is evidenced by NIHE and to support genuine mixed and balanced communities, consistent with regional planning policy. This commitment is consistent with regeneration principles and Policy HOU5 of the LDP draft Plan Strategy.

8.4.7	It is recommended that the commitment to the minimum level of residential floor space delivery and provision of affordable housing are secured as part of a Section 76 planning agreement.
8.5	<u>Transportation including transport sustainability, parking and impact on road safety</u>
8.5.1	The applicant describes the proposal as “transport-led regeneration”, the site being an exceptionally sustainable location within the city centre with integration with the adjacent Belfast Transport Hub with abundant opportunities for travel by bus and rail.
8.5.2	In terms of parking, the BTH planning permission allows for 223 parking spaces which was a reduction of 94 over the existing situation. These spaces are located in the City Fringe zone of the site and are proposed to be retained as under-croft parking. This will be a matter for the developer to address to ensure compliance with the BTH approval and may conceivably feature as part of any Reserved Matters application for the City Fringe zone.
8.5.3	The outline application does not propose further spaces in view of the very sustainable location of the site. In both versions of dBMAP, The City Fringe and Saltwater Square components of the application are located in the Belfast City Centre Fringe Area of Parking Restraint whilst the City Entries component is located in the Belfast City Centre Core Area of Parking Restraint. The application is supported by a Transport Assessment (TA), Travel Plan and assessment under the relevant chapters of the Environmental Statement. The TA outlines the proximity of the site within the city centre, proximity of the integrated BTH, green travel measures and disabled parking.
8.5.4	<i>The Transport Assessment states that ‘Translink, in partnership with DfI, have developed measures to promote active travel to and from the Transport Hub, as well as the wider Belfast City area. The measures will be delivered by DfI through the Roads Order Act and are considered to be a fundamental committed development. The measures have undergone intensive discussions and assessment with DfI and Translink, with the understanding that the private car is not considered to be at the top of the hierarchy for the masterplan area, with pedestrians placed first followed by cyclists.’</i>
8.5.5	The Framework Travel Plan proposes measures such as the provision of travel plans, travel cards, car club, new bicycle vouchers, Belfast Bike membership and appointment of a Travel Plan Co-ordinator to provide travel information. These initiatives will help offset the demand for parking and will need to be secured as part of the Section 76 planning agreement.
8.5.6	A Key Site Requirement for the Development Opportunity Site in dBMAP is to facilitate development of a City Centre Ring Road (CC 022/02). The extract below of the city centre map proposals shows the proposed ring road in a light blue dashed line. In dBMAP 2015 (v2004), a Road Protection Corridor includes part of the southern section of The Entries next to the junction of Durham Street and Hope Street to support the City Centre Road.

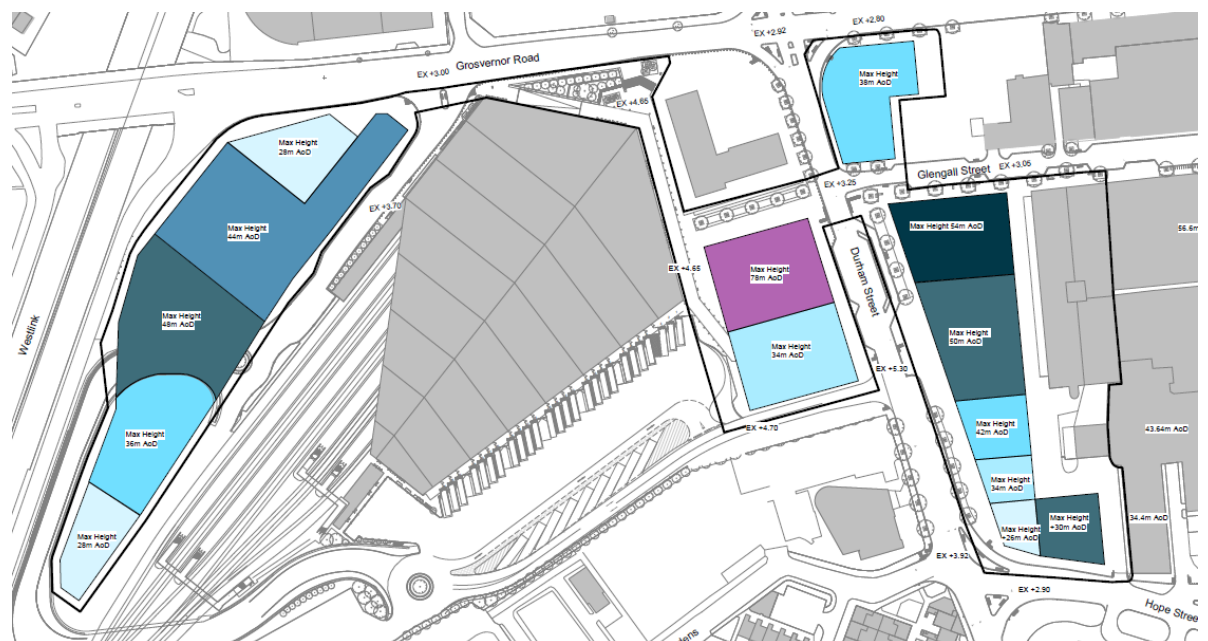
		
8.5.7	<div> <div>dbMAP 2015 (v2014) City Centre map proposals</div> <div>Proposed site layout</div> </div>	
8.5.8	<p>However, DfI Roads have stated that this scheme is not progressing and there are currently no plans for it to do so. DfI Roads have not raised any objections with regards to this issue in their consultation response. In this regard, the proposal is considered acceptable.</p>	
8.5.9	<p>All public realm, signal upgrades and road layout changes have been approved under the BTH permission, and therefore a planning obligation will be required in the Section 76 planning agreement to ensure that those works have been completed before occupation of the associated elements of the outline planning permission.</p>	
8.5.10	<p>DfI Roads have reviewed the application and offers no objection. Subject to implementation of the green travel measures proposed by the application, it considers that the proposal satisfies Policies AMP 1, AMP 2 and AMP 9 of PPS 3. Travel plans required by Policy AMP 6 of PPS 3 will be conditioned or secured through the Section 76 planning agreement. DfI Roads has confirmed that proposed cycle provision is compliant with Policy AMP 8. The application is considered acceptable having regard to the relevant provisions in the SPPS, PPS 3 and PPS 13.</p>	
8.6	<p><u>Impact on the character and appearance of the area</u></p>	
8.6.1	<p>Paragraphs 4.11 and 4.12 of the SPPS require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design.</p>	
8.6.2	<p>The proposal provides an excellent opportunity for strong place-making and to deliver a high-quality development in the heart of the city centre.</p>	
8.6.3	<p><u>Parameters Plans</u></p>	
	<p>Whilst all matters are reserved for subsequent approval, a series of Parameters Plans have been provided which would regulate the scope of development. These include:</p>	

- Maximum Vertical Parameters (maximum height of buildings)
- Maximum Horizontal Parameters both at ground floor and above ground (maximum building envelope)
- Land Use Parameters Plan (excluding residential use from parts of the development)
- Active Frontage and Uses Parameters Plan (ensuring active night-time uses in certain parts of the scheme in the interests of vibrancy and to deter anti-social behaviour)

8.6.4 An indicative scheme has been provided to illustrate the proposed development. The indicative scheme has been designed to accord with the maximum parameters, which allows the Council to test the suitability of the various Parameters Plans. The indicative scheme is supported by visual material and a VU.CITY model.

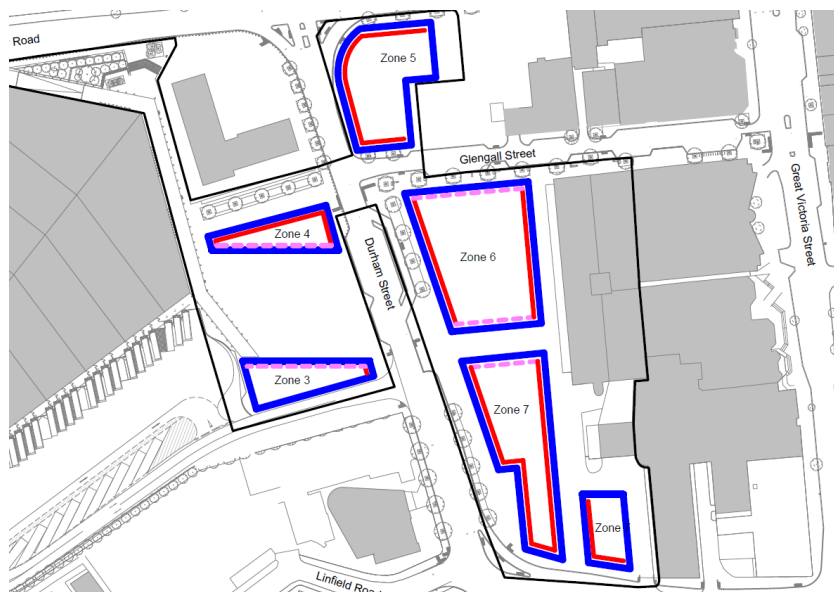
8.6.5 Establishing **maximum heights** is a central consideration of the proposal and a parameter plan is provided to demonstrate the maximum heights at various locations. These maximum height parameters include plant and other rooftop structures.

8.6.6 Saltwater Square is already permitted as part of the Belfast Transport Hub. This application for outline permission proposes to bring forward two tall buildings to the north and south parts of Saltwater Square. The indicative scheme shows a taller building to the North (which will be a maximum height of 78 metres AOD) whilst the building to the south will be a maximum height of 34 metres AOD. A minimum separation distance of 50m is required at Ground Floor to protect the public realm of Saltwater Square whilst at first floor and above the minimum separation distance is 40m. This allows for some reasonable use of cantilevering without diminishing the amount open space or light available in the new square. The City Entries portion of the site comprises a continuous plot from the corner of Hope Street and Durham Street to the corner of Durham Street and Grosvenor Road with maximum heights of between 26 and 54 metres. The City Fringe zone of the site is located adjacent to the Westlink and the maximum heights proposed are between 28 and 48 metres AOD.



8.6.7 *Proposed maximum height parameters*

- 8.6.8 The Senior Urban Design Officer (SUDO) has provided advice on design aspects of the scheme since the Pre-Application Discussion stage. His final response states that '*no objections are raised from an urban design viewpoint*' as any concerns regarding separation distances, amenity, privacy and sunlight/daylight will be assessed at Reserved Matters Stage.
- 8.6.9 Belfast City Airport was consulted and notes that any building in excess of 60m will require IFP (Instrument Flight Procedure) and CNS (Communications, Navigation and Surveillance) assessments to be carried out. These would apply to the taller of the two buildings in Saltwater Square (Zone 4), which would have a maximum height of 78 metres, and would be carried out by the National Air Traffic Service (NATS) through Belfast City Airport. The cost of these assessments would be carried out by the developer, a process which can take up to 3 months to complete. Belfast Airport advises that it is highly unlikely that mitigation cannot be provided and as such it is recommended that this mitigation is secured at the reserved matters stage.
- 8.6.10 Belfast City Airport also states that other considerations include crane licensing and bird attractants (drainage systems to prevent pooling of water, landscaping including trees, risks associated with 'green' roofs, open skips, etc.); lighting to minimise vertical light leakage thereby avoiding glare to aircraft; limited use of reflective surfaces (glass, solar panels, etc.) to reduce glint and glare to aircraft, and so on. As mentioned, appropriate mitigation relating to the design of the building would be dealt with at the reserved matters stage.
- 8.6.11 Having considered the visual material provided with the application, VU.CITY model and advice from the Senior Urban Design Officer, the proposed height and horizontal deviation parameters considered appropriate to the site and its surrounding context and acceptable. A condition would ensure that at reserved matters stage, no part of the development (including plant and other roof top structures) would exceed these maximum heights.
- 8.6.12 **Active uses** which contribute to day and night-time economy are equally important considerations and key locations within the scheme have been identified on the Active Frontage and Uses parameter plan. The locations identified with dashed pink lines as shown in the extract of the parameter plan below, will be referenced in a condition which requires those frontages to have a minimum of 30% night-time economy uses such as bars, restaurants and convenience stores.



- 8.6.13 *Proposed active frontages (broken pink line)*

8.6.14 **Planning and Design Principles**

The application is supported by a Planning and Design Principles (“PDP”) document. The Design Code proposes design principles that applications for reserved matters would need to adhere to including design, massing, height, materials, landscaping and public realm, private and public open space, amenity criteria, street layout, traffic, access and parking issues. A condition is recommended that requires the reserved matters to generally accord with the principles contained in the Planning and Design Principles document.

8.6.15 The PDP is to be read in conjunction with the submitted Parameter Plans. The PDP contains seven key principles and each is considered in turn below.

Principle 1: Site Wide Public Realm

8.6.16 *The open spaces, streets and public realm are arranged with pedestrian movement and direct desire lines to the Belfast Transport Hub first and foremost. Development zones are arranged around these with connections beyond to existing communities and the wider city.*

8.6.17 SUDO notes that ‘at the heart of the PDP this key overarching principle advocates an extensive network of public spaces and pocket parks interconnected by a series of clear and legible pedestrian routes. Emanating east and west from the central public space Saltwater Square, this series of routes and spaces aim to knit the masterplan within its context by strengthening connections to neighbouring areas’. Officers agree that strong connectivity and provision of high-quality public realm are key components of the scheme if it is to be successful. There are large areas of new public realm secured as part of the planning permission for the BTH (LA04/2017/1338/F). A planning obligation would be required as part of the Section 76 planning agreement to ensure that this public realm is delivered as the outline proposals should not proceed without sufficient public realm and open space in place.

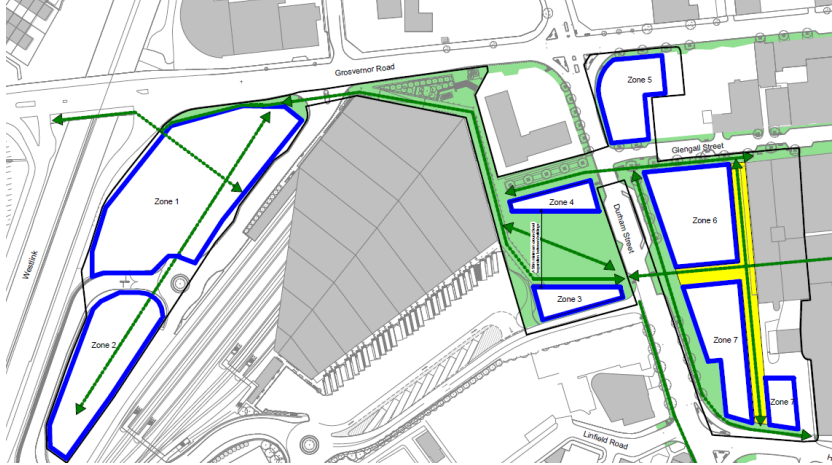
Principle 2: Active Frontage

8.6.18 *Active frontages to all zones both horizontally and vertically particularly to all public faces of Saltwater Square, Grosvenor Road and Glengall Street.*

8.6.19 Active frontages are essential to creating vibrant streets. It is important that the reserved matters applications ensure maximum activation of the perimeters of each zone at ground level so as to ensure animation and visual interest. It will be essential that all elevations work equally hard to create safe, busy, interesting frontages in this key city centre location.



8.6.20 **Design principle – responding to the edges**

8.6.21	<p>Principle 3: Green Infrastructure and Landscape</p> <p><i>Promotion of Enhanced landscape and green edges / planting throughout the masterplan over hard landscaping.</i></p>
	<p>Public realm, public space and the amenity along key connections were a key consideration of the BTH application. The SUDO states that Principle 3 '<i>advocates that all public areas be considered for a mix of ground, raised and specimen planting with step free access and consideration given to the abilities and mobility needs of all users and would include appropriate signage and wayfinding solutions</i>'. As a masterplan outline application to develop areas in and around the BTH, this remains an important consideration to ensure the creation of quality pedestrian spaces as well as high quality environments for residents, workers and visitors.</p>
8.6.22	<p>Principle 4: Landmark Building and Architecture</p> <p><i>Location of landmark building in Saltwater Square is to be of a scale and height to provide a marker within the city context. The remaining masterplan buildings step down from the existing city context towards the edges. The masterplan development is to be arranged to optimise daylight and sun penetration into the streets and spaces below.</i></p>
8.6.23	<p>Saltwater Square located to the centre of the wider BTH and Weavers Cross development is considered an appropriate location for taller marker buildings, being the centrepiece and "jewel" of the wider site and addressing the new public square. There is sufficient space around Saltwater Square for these tall buildings to "breathe". The SUDO notes that this '<i>largely relates to the location of a landmark building of an appropriate scale and height to provide an architectural marker within the primary public space Saltwater Square. To allot priority to this building, surrounding buildings within the masterplan deliberately step down to a scale and height which, while reflecting the city centre nature of the site, sit more comfortably with the lower heights of neighbouring buildings</i>'.</p>
8.6.24	<p>Chapter 13 of the Environmental Statement includes a sunlight daylight analysis which uses results of computer simulations to analyse the performance both the baseline/existing condition and the proposed condition. The ES concludes that overall impacts on existing buildings are negligible. Reserved Matters applications must demonstrate that the detailed siting and design is appropriate to the proposed end-use, especially for residential use.</p>
8.6.25	<p>Minimum separation distances have been agreed within Saltwater Square – 50m at ground floor level and 40m at first floor and above. These separation distances are designed to ensure that the square is maintained at the envisaged size and is not compromised in terms of natural light and sunlight, and by over dominant cantilevers.</p>
8.6.26	 <p><i>Maximum horizontal parameters as proposed</i></p>

8.6.27	The SUDO notes the <i>'deliberate approach taken in determining heights of surrounding buildings with a clear stepping down in height to the south, east and west of the Saltwater Square tower'</i> while <i>'to the south, buildings step down towards the listed Murray Tobacco Works at the junction of Hope Street/Durham Street with a reduction in building shoulder heights to relate visually to the setting of the listed asset'</i> . He also welcomes the step-down approach along Hope Street towards the listed building as well as the <i>'clear tripartite ordering of building composition, comprising base, mid-section and top/roof, is also advocated through this principle'</i> .
8.6.28	Principle 5: Public Square and Open Space <i>Saltwater Square's potential as a major open space is to be realised with four framed edges, the creation of covered areas as well as landscaping arranged to reinforce desire lines and optimise daylight and sun in the square.</i>
8.6.29	The BCC Landscape Team was consulted and states that they <i>'support the provision of a high quality, flexible civic space that is accessible to all and includes opportunities for soft landscaping and mature tree planting'</i> . It also <i>'welcomes opportunities to incorporate public art and heritage/cultural references within the design and support the use of materials that will follow the precedent set by the Transport Hub and Streets Ahead'</i> .
8.6.30	The SUDO notes that <i>'deliberate placement of the larger tower along the northern edge of the square allows for greater light penetration and optimised daylight levels'</i> . The VU.CITY model shows that the lower of the buildings on Saltwater Square causes overshadowing of the square for most of the day with optimum sunlight being achieved in late afternoons both on 21 March and 21 September. This is not unusual for city centre locations however the detailed design, layout, lighting and articulation of spaces will be key to mitigation.
8.6.31	A public art strategy will be required as part of the scheme and this will be required as a condition of the outline planning permission. Subsequent applications for reserved matters will need to demonstrate compliance with the public art strategy.
8.6.32	Principle 6: Mix of Uses <i>A mix of Office & Leisure, Retail, Food and Beverage, Residential (private), Residential (% affordable to be in accordance with BCC requirements at the time of delivery), Social Enterprise/ Community space and Public realm.</i>
8.6.33	Officers agree that the City Fringe zone should not include residential use due to its proximity to the motorway and isolated nature remote from the main city centre. Residential use will be permitted in the City Entries and Saltwater Square zones. The quanta of proposed residential including affordable housing has already been discussed in the report.
8.6.34	PPS 7 relates to quality housing developments. PPS 7 objectives place emphasis on achieving quality residential development not only in terms of respecting local character and amenity of established residential areas, but also the developments themselves should be attractive for prospective residents. Policy QD1 lists 9 criteria with which all proposals for residential development must comply. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. Any housing located within the proposed scheme must meet the requirements of the above policies as well as ensuring there is adequate daylight and sunlight. The detailed design of the residential component of the scheme will be assessed in this policy text.
8.6.35	Principle 7: Areas of Distinctive Character <i>A strong identity for Weavers Cross as a whole which draws upon the area's rich industrial heritage. This is to be made clear with materials and design solutions, incorporating art and heritage.</i>

8.6.36	The SUDO welcomes this principle's advocacy for a strong identity for Weaver's Cross, drawing on the area's rich industrial heritage. This can be reinforced by way of an agreed material palette and through detailed design, building form and articulation. He further notes that page 37 of the PDP ' <i>reinforces the importance of the tripartite building composition and the clear intent to step buildings down in height within Zones 6 and 7 as a direct response to the listed Tobacco Works</i> '.
8.6.37	<u>Conclusion</u> The seven principles set out above are considered to appropriately cover all pertinent issues in anticipation of the Reserved Matters applications.
8.6.38	It is envisaged that subsequent applications for approval of reserved matters shall generally follow the principles contained in the Design Code and fully comply with the Parameters Plans, and that this would be secured through planning conditions including conditions regarding phasing.
8.7	Phasing
8.7.1	The phasing of the development is referenced in the Design and Access Statement which anticipates completion of the BTH and accompanying works by 2024. It states that ' <i>Weavers Cross is a long-term project which will likely be developed over a 20-year construction. Construction of Weavers Cross is expected to commence in 2025, with the first buildings being operational in 2027/28 and a build out year of 2045. This will be dependent on market conditions.</i> '
8.7.2	Given the size and location of the development and the necessity to phase development after the BTH is completed, the applicant has requested an increase from the standard five-year permission time limit to a ten-year limit. It is considered that a 10-year time limit is appropriate in this case due to the particular high-level nature of this outline planning permission as well as the nature, size of the site and dependence on the BTH works. The Section 76 planning agreement will be the delivery mechanism for securing the affordable housing. In view of the lengthy duration of the outline permission, it is recommended that the threshold of minimum 20% affordable housing delivery is reviewed after five years.
8.7.3	A phasing plan for the phasing of the development will be secured by condition.
8.8	<u>Impact on amenity of nearby residents and businesses</u>
8.8.1	A chapter in the Environmental Statement specifically assesses sunlight, daylight and shadowing impacts on existing buildings and uses and concludes that the impacts would be negligible and acceptable.
8.8.2	It is considered that the supporting information and VU.CITY model demonstrate that development of the parameters sought can be accommodated without undue harm to the amenity of adjacent land-uses. Ultimately, consideration of detailed design issues will be for the reserved matters stage.
8.8.3	Similarly, the Council will be able to control at the reserved matters stage the adequacy of the environment for new residential, employment and other uses within the development itself. The indicative scheme provided with the application may or may not be appropriate depending on the nature of the specific intended uses. For example, within the Entries, more space may be required between buildings if those blocks are to be primarily used for residential purposes. This would allow those blocks to receive additional light. Again, these are considerations for the reserved matters stage.
8.9	<u>Impact on Built Heritage and Archaeology</u>
8.9.1	Planning Policy Statement 6: Planning, Archaeology and the Built Environment (PPS 6) are relevant. Policies BH3 and BH4 relate to archaeological considerations. Policy BH11 relates

	to development affecting the setting of a listed building. Paras 6.12 and 6.13 of the SPPS also apply.
8.9.2	The accompanying Environmental Statement (ES) includes a chapter on Cultural Heritage (Chapter 8 of Volume 3). DfC Historic Environment Division (Historic Monuments) has been consulted and advises that on the basis of the information provided, the proposal would not adversely impact on archaeological interests subject to conditions regarding a 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 and as required by Policy BH 1 of PPS 6 in the case of the scheduled monument. The conditions are recommended accordingly.
8.9.3	<p>There are a number of Listed Buildings within the vicinity of the site. These are:</p> <ul style="list-style-type: none"> • St Peter's Cathedral (HB26/33/103A) • Christchurch Centre of Excellence (HB26 50 025) • Former Health Centre at 89 Durham Street (HB26 50 116) • RBAI school (HB26/50/023) and the cluster of listed warehouses (HB26/50/303A-D) • Belfast City Hall • The Grand Opera House • Former Murray Tobacco Works (HB26/29/017)
8.9.4	<p>Policy BH11 requires that:</p> <ul style="list-style-type: none"> • <i>The detailed design respects the listed building in terms of scale, height, massing and alignment;</i> • <i>The works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and</i> • <i>The nature of the use proposed respects the character of the setting of the building</i>
8.9.5	The Listed Building that is potentially affected by the proposal is the former Tobacco Works, a Grade B+ Listed Building on the junction of Durham Street with Linfield Gardens. DfC Historic Environment Division (HED) initially expressed concern about the impact of the proposal on the setting of the former Tobacco Works. Officers shared concern about the height and dominance of the proposed blocks at the southern end of the City Entries and asked the applicant to address these points and HED's concerns.
8.9.6	Following discussions with HED, the applicant submitted amended plans which decreased the proposed height opposite the listed building and also increased the separation distance between the listed building and the proposal. The Design and Access Statement and Design Principles were also amended to underpin the importance of the setting of this building.
8.9.7	Following the amendments, officers are content that the decrease in height, increased separation distance and amendments to the proposals satisfactorily concern. HED was reconsulted and responded to state that it is ' <i>content with the proposal with conditions under Paragraph 6.12 (setting) of Strategic Policy Planning Statement for Northern Ireland and 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</i> '. HED suggest a condition to require the detailed design respecting the listed building in terms of scale, massing and alignment, that the works proposed make use of traditional or sympathetic building materials and techniques which respect those found on the building; and that the nature of the use proposed respects the character of the setting of the building.

8.9.8	However, officers advise that as the detailed design is reserved for subsequent approval, a condition is not required since these matters raised by HED will be fully considered at that stage in consultation with HED itself.
8.9.9	Having regard to this advice, it is considered that the proposal is acceptable having regard to Policy BH11 of PPS 6 and provisions of the SPPS.
8.10	<u>Human health</u>
8.10.1	Contaminated Land – the site is previously developed land and has the potential for contamination. Due to the scale and nature of the site, Environmental Health is content to deal with contamination by way of negative conditions according to each phase of the development. A phasing plan for the development will be secured by condition and the contaminated land conditions will link to the phases identified by the phasing plan. NIEA were requested to similarly provide negative conditions and note that <i>'the majority of the Weavers Court development area has been subject to extensive investigation, risk assessment and remedial work as part of the existing planning permission LA04/2017/1388/F; therefore, Regulation Unit Land and Groundwater Team are minded to waive the usual objection to the development in the absence of suitable risk assessments at application stage due to the extenuating circumstances'</i> .
8.10.2	Noise – Environmental Health offers no objections on noise grounds and the proposal is considered acceptable-
8.10.3	Odour - Environmental Health notes that details are not available at outline stage and request that a condition is placed on any approval to require an Odour Risk Assessment at Reserved Matters stage. The condition is recommended accordingly.
8.10.4	Air Quality – The ES is supported by the following information: <ul style="list-style-type: none"> • Chapter 6 'Air Quality' of the Weavers' Cross Environmental Statement Volume 3 • Appendix 6 – Figures, 'Air Quality' of Environmental Statement Vol 5 • Appendix 6 – 'Air Quality Technical Appendices' of Environmental Statement Vol 6 • Chapter 17 'Transport Assessment' of Environmental Statement Vol 3 • Appendix 17 – 'Transport Assessment' of Environmental Statement Vol 6
8.10.5	Environmental Health has reviewed the above and advises that it meets the relevant requirements subject to conditions.
8.11	<u>Drainage and Flood Risk</u>
8.11.1	The application is supported by a Flood Risk and Drainage Assessment. DfI Rivers has noted that the application is in outline and that therefore subsequent applications will be accompanied with individual Drainage and Flood Risk Assessments which will allow DfI Rivers to make further assessment for each plot.
8.11.2	All sources of flood risk to and from the proposed development have been identified and there are adequate measures to manage and mitigate any increase in risk arising from the development in principle. including allowing for climate change.
8.11.3	The proposal is considered to comply with the relevant provisions of the SPPS and PPS 15.
8.12	<u>Wastewater Infrastructure</u>
8.12.1	NI Water has advised that network capacity and waste-water treatment works (WWTW) capacity is not currently available to support the proposed development. However, it confirms that its programme for WWTW improvements will increase capacity over the

	coming years. It also advises that a high-level assessment has indicated potential Network Capacity issues.
8.12.2	The application is seeking outline planning permission and will be subject to future applications for approval of reserved matters. The applicant has confirmed that the entire site may take up to 20 years to develop and that no occupation will take place prior to 2023. This should provide sufficient time to build in capacity.
8.12.3	Notwithstanding NI Water's initial concerns, following further consultation NI Water has recommended conditions in the event that planning permission is granted. Officers recommend conditions to require an overall Foul and Surface Water Drainage Strategy for the development and that detailed drainage proposals are provided in accordance with the Drainage Strategy at reserved matters stage.
8.12.4	DAERA Water Management Unit were consulted and states that if NI Water ' <i>indicate that the WWTW is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its consent to discharge, then Water Management Unit would have no objection to this aspect of the proposal</i> '. In view of the position set out above, it is considered that the impacts on the water environment will be acceptable.
8.13	<u>Natural Heritage</u>
8.13.1	According to the DAERA, the application site is hydrologically connected to Belfast Lough Special Protection Area (SPA) and Ramsar site, Belfast Lough Open Water SPA, proposed East Coast (Northern Ireland) Marine SPA, Inner Belfast Lough Area of Special Scientific Interest (ASSI) and Outer Belfast Lough ASSI, hereafter referred to as the designated sites, which are of international and national importance and are protected by Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002 (as amended).
8.13.2	Accordingly, the proposal has been considered having regard to Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). Specialist advice has been sought from Shared Environmental Service (SES) to advise Belfast City Council as the Competent Authority responsible for assessment of development proposals in accordance with the Regulations.
8.13.3	SES has carried out an HRA report to assess the likely impacts of the scheme on Belfast Lough. This concludes that ' <i>...taking into consideration embedded mitigation, it is therefore reasonable to conclude that there is no potential for likely significant effects, either alone or in-combination with other plans and projects, resulting from the proposed improvement works.</i> ' SES subsequently has no objection to the proposal subject to conditions. It is recommended that the Council in its role as the Competent Authority, adopts the HRA report, and its conclusions prepared by SES.
8.13.4	The site also contains a colony of <i>Andrena sp.</i> solitary bee, which could potentially be a Northern Ireland priority species (NIPS).
8.13.5	DAERA Natural Environment Division (NED) was consulted and acknowledges receipt of the applicant's NI Biodiversity Checklist, Outline Construction Environmental Management Plan (oCEMP) and shadow Habitats Regulation Assessment (SHRA).
8.13.6	Having considered the impacts of the proposal on designated sites and other natural heritage interests and, on the basis of the information provided, NED offers no objection to the proposal subject to the following: <ul style="list-style-type: none"> the submission of a final CEMP to ensure delivery of proposed mitigation measures

	<ul style="list-style-type: none"> the submission of an Ecological Management Plan the submission of a Landscaping and Planting Plan
8.13.7	These matters will be secured by condition.
8.13.8	Having regard to the specialist advice from DAERA and SES, subject to conditions, it is advised that the proposed development would not have any harmful impacts on wildlife and ecological interests and in this regard accords with Policies NH1, NH2, NH3 and NH5 of PPS 2 and the relevant provisions contained in the SPPS.
8.14	<u>Developer Contributions and Planning Agreement</u>
8.14.1	Para 5.69 of the SPPS states that ' <i>Planning authorities can require developers to bear the costs of work required to facilitate their development proposals.</i> ' Relevant further guidance is provided by the Council's Developer Contribution Framework, adopted in 2020.
8.14.2	<p>In this case, it is considered that Developer Contributions and planning obligations are required in relation to the following:</p> <ul style="list-style-type: none"> Provision of a minimum residential floorspace – a minimum of 26% floorspace of the City Entries and Saltwater Square to be residential use (minimum of 21% floor space of the overall development). Application/s for approval of reserved matters shall demonstrate how they contribute to achieve these minimum requirements. Provision of minimum 20% affordable housing with threshold to be reviewed after five years Green Travel Measures – to help mitigate the lower than standard level of in-curtilage parking provision. The Framework Travel Plan contains measures such as the provision of travel plans, travel cards, car club, new bicycle vouchers, Belfast Bike membership and appointment of a Travel Plan Co-ordinator to provide Travel Information. Compatibility with the BTH planning permission – the outline planning permission cannot be implemented in isolation and must come forward in conjunction with the BTH planning permission. A planning obligation is required to ensure the proper sequencing of the developments as well as delivery of the public realm in the BTH permission. Employability and Skills – to secure appropriate commitments towards Employability and Skills. Management of private spaces – to ensure the ongoing management of the common parts of the site to be privately managed.
8.14.3	These planning obligations would be secured by means of a Section 76 planning agreement.
8.15	<u>Pre-Community Consultation</u>
8.15.1	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 the applicant for planning permission to consult the community in advance of submitting an application.
8.15.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2021/1971/PAN) was submitted to the Council on 23 August 2021 and was deemed acceptable on 21 September 2021.

8.15.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which details public meetings, letters, leaflets and the public advertisement.
8.15.4	The PACC report states that over the 3-week period of consultation, a total of 1,303 participants joined the virtual consultation room. The room was viewed a total of 1,570 times. The applicant's Facebook campaign is stated to have reached 45,742 social media users.
8.15.5	128 online forms and 72 hard copy feedback forms were "overwhelmingly positive" found that between 82% and 90% are supportive of the regeneration, redevelopment, mix of uses and introduction of new open space and neighbourhoods. Participants welcomed the inclusion of 20% affordable housing.
8.15.6	However, concerns were expressed regarding the Belfast Transport Hub project and the removal of the Boyne Bridge. Concerns were also raised about building heights, particularly at Saltwater Square. The applicant subsequently moved the landmark building to the north side of the square further away from the existing low density housing area in Sandy Row.
9.0	Summary of Recommendation
9.1	Having regard to the Development Plan and relevant material considerations, the proposed development is considered acceptable.
9.2	It is recommended that planning permission is granted subject to conditions and a Section 76 planning agreement. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and Section 76 planning agreement, and resolve anomalies identified by the Senior Urban Design Officer as appropriate. Furthermore, to explore appropriate restrictions on hours of operation of the restaurants, bars, leisure. food and drink etc.
11.0	DRAFT CONDITIONS
	<i>Outline permission</i>
1	<p>The development hereby permitted must be begun by the following, whichever is the later.</p> <ul style="list-style-type: none"> • Ten 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>
2	<p>Application/s for approval of the reserved matters shall be made to the Council within eight years from the date of this permission.</p> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p>
3	<p>No development shall commence on site 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.</p>

	<p>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.</p> <p><i>Parameters plans</i></p> <p>4 No part of the development, including plant and other structural elements of the rooftop of buildings, shall exceed the maximum height parameters as shown on Drawing Number 527-JMP-XX-XX-DR-A-2103 Revision P01 (Parameter Plan – Limits of vertical deviation above ground) uploaded to the Planning Portal on 10 August 2022.</p> <p>Reason: To regulate the height and scale of development in the interests of good place making principles and character and appearance of the area.</p> <p>5 No part of the development shall exceed the horizontal deviation parameters as shown on the following drawings uploaded to the Planning Portal on 10 August 2022.</p> <ul style="list-style-type: none"> • Drawing Number 527-JMP-XX-XX-DR-A-2102 (Parameter Plan – Limits of horizontal deviation at ground, public realm + access); and • Drawing Number 1527-JMP-XX-XX-DR-A-2105 (Parameter Plan – Limit of horizontal deviation above ground). <p>Reason: To regulate the scale and massing of development in the interests of good place making principles and character and appearance of the area.</p> <p>6 Notwithstanding the Planning (Use Classes) Order (Northern Ireland) 2015, for each of the frontages identified by the dashed pink line (Zone 3 North, Zone 4 South and Zone 6 North) on Drawing Number 1527-JMP-XX-XX-DR-A-2106 (Parameter Plan – Active Frontage and Uses), uploaded by the Council on 10 August 2022, a minimum of 30% of each of those frontages shall not be used other than for uses including restaurant, café, bar, convenience store, hotel and leisure uses, unless the Council gives its prior written consent for any variation.</p> <p>Reason: To ensure activation of these key street frontages during the evening in the interests of night-time economy and vibrancy and reducing anti-social behaviour.</p> <p>7 All application/s for reserved matters shall be accompanied by a 'Reserved Matters Parameters Plans Statement' which demonstrates how the Reserved Matter/s application accords with the approved Parameters Plans referred to under conditions 4 and 5.</p> <p>Reason: In the interests of place making, night-time vibrancy and reducing anti-social behaviour.</p> <p><i>Planning and Design Principles</i></p> <p>8 Except as expressly provided for by the conditions in this outline planning permission, all applications for reserved matters shall generally accord with the Planning and Design Principles document uploaded to the Planning Portal on 10th August 2022.</p> <p>Reason: In the interests of place making and the character and appearance of the development.</p>
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9	<p>All application/s for reserved matters shall be accompanied by a 'Reserved Matters Planning and Design Principles Statement' which demonstrates how the Reserved Matter/s application generally accords with the approved Planning and Design Principles document referred to under condition 7.</p> <p>Reason: In the interests of place making and the character and appearance of the development.</p> <p><i>Phasing</i></p>
10	<p>No application for reserved matters shall be submitted until a Phasing Strategy for the phasing of the entire development has been submitted to and approved in writing by the Council. The approved Phasing Strategy may be modified from time to time with prior written agreement from the Council. The development shall not proceed unless in accordance with the approved Phasing Strategy.</p> <p>Reason: In the interests of the orderly development of the site.</p> <p><i>Aviation</i></p>
11	<p>Reserved matter/s applications for the maximum 78 metre height building in Zone 4, as shown on Drawing Number 527-JMP-XX-XX-DR-A-2103 Revision P01 (Parameter Plan – Limits of vertical deviation above ground) uploaded to the Planning Portal on 10 August 2022, shall include, where necessary, design measures to mitigate potential impacts on air traffic. The measures shall be directly informed by IFP (Instrument Flight Procedure) and CNS (Communications, Navigation and Surveillance) assessments to be carried out by the National Air Traffic Service (NATS) and to be commissioned by the developer in advance. Development of Zone 4 shall not be carried out unless in accordance with the approved reserved matters required by this condition.</p> <p>Reason: To mitigate the impact of the tall building in Zone 4 on air traffic.</p> <p><i>Waste management</i></p>
12	<p>A waste management plan shall be submitted to and approved in writing by the Council prior to occupation of any phase of the development. Development of that phase shall not be carried out unless in accordance with the approved waste management plan for that phase.</p> <p>Reason: To ensure satisfactory waste storage and collection arrangements.</p> <p><i>Transport</i></p>
13	<p>Details of the means of access required by condition 3 shall include details of individual vehicular access points, including visibility splays and any forward sight distance.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
14	<p>None of the commercial units including office (Class B1), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1) shall operate unless in accordance with a Workplace Travel Plan based on the Transport Plan and Framework Travel Plan published by the Council on 21 December 2021, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>

15	<p><i>Protection of human health</i></p> <p>No development shall commence in any phase of the development (other than site clearance, enabling works or works to fulfil this condition), until a Contaminated Land Risk Assessment for that phase has been submitted to and approved in writing by the Council. The assessment shall follow best practice and in the first instance contain the following:</p> <p>Preliminary Risk Assessment that includes a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and an initial Conceptual Site Model outlining all potential Source-Pathway Receptor contaminant linkages. Should the Preliminary Risk Assessment demonstrate that potential contaminant linkages exist on the site, then a Quantitative Risk Assessment that addresses these issues shall be submitted. This must incorporate:</p> <ul style="list-style-type: none"> • A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations shall be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019. • A satisfactory assessment of the risks (including an updated Conceptual Site Model), conducted in line with current Environment Agency guidance. In addition, risks associated with ground gases shall be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665. • Should the Quantitative Risk Assessment demonstrate that human health contaminant linkages exist on the site, then a Remediation Strategy shall be submitted. The Remediation Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified. <p>The development shall not be carried out unless in accordance with the approved Remediation Strategy.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
16	<p>In the event that a Remediation Strategy is required for any phase of the development, prior to occupation or operation of that phase of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.</p>
17	<p>If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. This new contamination shall be fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development</p>

	<p>being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</p>
18	<p>In the event that any centralised combustion sources (boilers, CHP or biomass) are proposed and there is a risk of impact at relevant receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment must be submitted to and approved in writing by the Council prior to the installation of the plant. The Assessment shall include details of the combustion plant to be installed, to include emission rates and flue termination heights of the proposed combustion systems. Where the Air Quality Impact Assessment indicates exceedances of Air Quality Strategy objectives associated with the development are predicted at relevant human receptor locations, the Air Quality Impact Assessment shall include mitigation measures to ensure that the objectives are achieved in the year of occupation. The development shall not be carried out unless in accordance with the approved details and shall be retained as such at all times.</p> <p>Reason: Protection of human health.</p>
19	<p>In the event that any other pollution sources, including underground car parks with extraction systems, are proposed and there is a risk of air pollution impact at relevant human health receptor locations as per the criteria detailed within the Environmental Protection UK and Institute of Air Quality Management, Land-use Planning & Development Control: Planning For Air Quality (January 2017), an updated Air Quality Impact Assessment be submitted to and approved in writing by the Council prior to the commencement of any development on site. The assessment must demonstrate that there will be no significant adverse air quality impacts. Where exceedances of Air Quality Strategy objectives associated with the development are predicted at relevant human receptor locations, the Air Quality Impact Assessment shall include mitigation measures to ensure that the objectives are achieved in the year of occupation. The development shall not be carried out unless in accordance with the approved details and shall be retained as such at all times.</p> <p>Reason: Protection of human health.</p>
20	<p>Dust management measures, as detailed within the Weavers Cross Environmental Statement, Volume 3, Chapter 6 (Air Quality), Section 6.10 (17 December 2021) shall be implemented throughout the duration of the demolition and construction phases of the development.</p> <p>Reason Protection of human health and amenity.</p>
21	<p>At the reserved matters stage for each application, an Odour Risk Assessment report shall be submitted to and approved in writing by the Council. The report shall demonstrate that the proposed commercial kitchen extraction and odour abatement technology to be incorporated into the commercial kitchens of the proposed development has been designed in accordance with current industry guidance to ensure no adverse impacts on amenity. Externally located plant and extract termination points shall be depicted on elevation drawings. The development shall not be carried out unless in accordance with the approved details and shall be retained as such at all times.</p> <p>Reason: Protection of amenity.</p>

22	<p>At the reserved matters stage for each application, a detailed development and site-specific Noise Impact Assessment shall be submitted to and approved in writing by the Council.</p> <p>Each Noise Impact Assessment must include the following:</p> <ul style="list-style-type: none"> • Examination of representative baseline noise conditions specific to each proposed phase and predicted noise levels arising from each phase once operational; • Detailed mitigation measures to ensure internal and external noise levels at proposed premises will be achieved in line with relevant up-to-date guidance; • Identification of all potential noise impacts associated with the proposed end-use and identification of any necessary structural, design, layout, and management mitigation measures to minimise adverse impacts on proposed sensitive premises <p>The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: Protection of amenity.</p>
23	<p>Applications for reserved matters shall include:</p> <ul style="list-style-type: none"> • A 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 based upon a representative Noise Impact Assessment and must ensure that the internal sound levels shall: <ul style="list-style-type: none"> - not exceed 35 dB Laeq,16hr at any time between 07:00 hrs and 23:00 hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current Building Control requirements; - not exceed 30 dB Laeq,8hr at any time between 23:00 hrs and 07:00 hrs within any proposed bedroom with the windows closed and alternative means of ventilation provided in accordance with current Building Control requirements; - not exceed 45 dB LAMax more than 10 times between 23:00 hrs and 07:00 hrs within any proposed bedroom with the windows closed and alternative means of ventilation provided in accordance with current Building Control requirements. • Details of the specification of alternative means of ventilation to the residential elements of the hereby permitted development. The specification for the alternative means of ventilation shall demonstrate that the use/operation of the system will not compromise the recommended internal noise levels of habitable rooms outlined in British Standard BS8233:2014. <p>Reason: Protection of residential amenity</p>
24	<p>The Rating Level (dB Lar) of sound from all combined building services plant associated with each phase of the development shall not exceed the background sound level (for both daytime and night time) at the façade of noise sensitive premises when determined in accordance with the assessment methodology outlined in BS4142:2014+A1:2019 – Methods for rating sound and assessing industrial and commercial sound. A Rating Level (dB Lar) indicative of ‘no adverse impact’ shall be maintained thereafter.</p> <p>Reason: Protection of residential amenity</p>

25	<p><i>Foul and surface water drainage</i></p> <p>No application for approval of reserved matters shall be submitted until a Foul and Surface Water Drainage Strategy, including updated flood risk assessment/s, for the entire development has been submitted to and approved in writing by the Council. The approved Foul and Surface Water Drainage Strategy may be modified from time to time with prior written agreement from the Council.</p> <p>Reason: To ensure an appropriate strategic approach to foul and surface water drainage across the development.</p>
26	<p>All application/s for approval of reserved matters shall be accompanied by details of foul and surface water drainage which shall accord with the Foul and Surface Water Drainage Strategy approved under condition XX including timescale for implementation. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul and surface water drainage of each part of the development.</p> <p><i>Environment and ecology</i></p>
27	<p>No development shall commence in any phase of the development (other than site clearance, enabling works or works to fulfil this condition) unless a risk assessment and supporting site data that identify all unacceptable risks to health and the water environment for that phase have been submitted to and approved in writing by the Council. The risk assessment shall include but not be restricted to:</p> <ul style="list-style-type: none"> - A Preliminary Risk Assessment, in accordance with the Land Contamination: Risk Management (LCRM) guidance, identifying all potential contaminant sources that may affect the development, setting out the environmental site situation and presenting a preliminary conceptual model for the site, - Site investigations and groundwater monitoring to be designed and implemented in accordance with British Standard BS 10175:2011+A2:2017 Code of practice for investigation of potentially contaminated land sites to identify the contamination risks associated with the potentially contaminating activities which took place at the site, (BS 8576:2013 Guidance on investigations for ground gas.) - Quantitative Risk Assessment(s) as necessary in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. To identify all unacceptable risks to health and the water environment and provide remedial criteria to be met if necessary through a remedial strategy. <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
28	<p>No development shall commence in any phase of the development a detailed Remediation Strategy to address all unacceptable risks to environmental receptors identified from Condition 27 has been submitted to and agreed in writing with the Council. The strategy shall identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).</p> <p>The development shall not be carried out unless in accordance with the approved Remediation Strategy.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>

29	<p>The development hereby permitted shall not be occupied unless the remediation measures as described in the remediation strategy submitted under Condition 28 have been implemented to the satisfaction of the Council. The Council 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>
30	<p>If during the development works, new contamination or risks are encountered which have 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/landcontamination-how-to-manage-the-risks. 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> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
31	<p>After completing the remediation works under Condition 27; and prior to occupation of the development, a verification report must be submitted in writing and agreed with Council. This report shall 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
32	<p>In the event that piling is required, no development or piling work should commence on this site 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
33	<p>Evidence must be presented in the Verification Report that all fuel storage tanks (and associated infra-structure) have been fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Condition 31 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
34	<p>No development shall be carried out in each of phase unless a Final Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Council. The CEMP shall include:</p> <ul style="list-style-type: none"> a) Construction methodology and timings of works; b) Pollution Prevention Plan including suitable buffers between the location of all construction works, storage of excavated spoil and construction materials, any

	<p>refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on or adjacent to the site;</p> <ul style="list-style-type: none"> c) Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures; d) Spoil Management Plan; including identification of spoil storage areas, management and handling of spoil and details of the reinstatement of excavated soil; e) Water Quality Monitoring Plan; f) Environmental Emergency Plan; g) Details of updated surveys for bats and birds and appropriate mitigation measures; h) Details of updated surveys for solitary bees and appropriate mitigation measures; i) Details of updated invasive species surveys and any necessary mitigation and/or management measures required to be included in an Invasive Species Management Plan; j) Mitigation measures as detailed in the Environmental Statement (ARUP, Dec 2021) and Outline Construction Environmental Management Plan; and k) Details of the appointment of an Ecological Clerk of Works (EcoW) and their roles and responsibilities. <p>Development within each phase shall not be carried out unless in accordance with the approved CEMP, unless otherwise approved in writing by the Council.</p> <p>Reason: To protect Northern Ireland priority habitats and species, to ensure implementation of mitigation measures identified within the Environmental Statement and to prevent likely significant effects on Belfast Lough Special Protection Area (SPA) and Ramsar site, Belfast Lough Open Water SPA, proposed East Coast (Northern Ireland) Marine SPA, Inner Belfast Lough Area of Special Scientific Interest (ASSI) and Outer Belfast Lough ASSI.</p>
35	<p>No phase of the development shall be carried out unless an Ecological Management Plan for that phase has been submitted to and approved in writing by the Council. The Ecological Management Plan shall include details of:</p> <ul style="list-style-type: none"> a) Habitat creation including measures proposed within the Environmental Statement (ARUP, December 2021); b) Appropriate habitat creation and management measures to ensure solitary bee populations are supported; c) The specifications of bird and bat boxes and their location within the site d) Long term monitoring and management to be implemented and details of those responsible for their implementation. <p>Development of each phase shall not be carried out unless in accordance with the approved Ecological Management Plan for that phase.</p> <p>Reason: To minimise the impact of the proposal on the biodiversity of the site, including protected/priority species.</p>
36	<p><i>Archaeology</i></p> <p>No development shall be carried out within a particular phase (other than works required to fulfil this conditions) unless a programme of archaeological work (POW) for that phase has been submitted to and approved in writing by the Council. The POW shall provide for:</p> <ul style="list-style-type: none"> • The identification and evaluation of archaeological remains within the site;

37	<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>Development of each phase must not be carried out unless in accordance with the approved details.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>No development shall be carried out within a particular phase (other than works required to fulfil this conditions) unless a programme of post excavation analysis, details of dissemination of findings and excavation archive for that phase has been submitted to and approved in writing by the Council. Development of each phase not be carried out unless in accordance with the approved details.</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>
38	<p><i>SES conditions</i></p> <p>No development shall be carried out in each of phase unless a Final Construction and Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Council. The final CEMP shall reflect all the mitigation measures as assessed in the outline CEMP uploaded to the portal on 11th January 2021. No development shall be carried out each phase unless in accordance with the approved CEMP.</p> <p>Reason: To ensure the project will not have an adverse effect on the integrity of any European site.</p> <p><i>Other conditions</i></p>
39	<p>No application/s for reserved matters shall be submitted unless a Public Art Strategy for the entire development has been submitted to and approved in writing by the Council. The Public Art Strategy may be varied from time to time with prior written approval from the Council. Application/s for reserved matters shall incorporate detailed public art proposals that accord with he approved Public Art Strategy.</p> <p>Reason: To ensure the delivery of public art in the interests of good place making.</p>