

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 February 2016	
Application ID: LA04/2015/0619/F	
Proposal: Proposed apartment complex comprising 75 No. apartments with a 13 storey frontage to Gloucester Street and 11 storey frontage to Chichester Street. The proposal includes pedestrian access onto Chichester Street and pedestrian and vehicular access onto Gloucester Street, basement car park, ground floor car park, reception area and bicycle stands, first floor swimming pool, gym (private for residents only) and second floor courtyard area and all associated works	Location: Lands at 43-47 Chichester Street Belfast BT1 4JD
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Village Homes (NI) Ltd 127 Church Road Hollywood BT18 9BZ	Agent Name and Address: TSA Planning Ltd 29 Linenhall Street Belfast BT2 8FF
Executive Summary: Full planning permission is sought for 75 No apartments with an 11 storey frontage with a single storey set back to Chichester Street and 13 storey frontage to Gloucester Street. The proposal includes pedestrian access onto Chichester Street and pedestrian and vehicular access onto Gloucester Street, basement car park and ground floor car park, reception area and bicycle stands, first floor swimming pool, gym and second floor courtyard area and associated works The site is located within the city centre of Belfast as defined within the Belfast Metropolitan Area Plan. The main issues to be considered in this case are: <ul style="list-style-type: none"> • The principle of redevelopment and proposed use at this location; • Height, Scale, Massing and Design; • Impact on Amenity; • Traffic Movement & Parking; • Other Environmental Matters. Belfast City Centre Regeneration and Investment Strategy (Sept 2015) states that Belfast has a low overall city centre residential population in comparison to other cities. This document recognises that a significant residential population is highly important for the successful functioning of a city centre. Within this context the principle of residential use at this location is acceptable.	

Given the urban city centre context, taking account of the heights of nearby buildings and spaces between them and the proposal, it is considered that in this context, the proposed height of the buildings proposed is acceptable would not harm the character or appearance of the immediate area. The form and height of the building establishes a presence that is considered to be appropriate

The architectural approach is modern.

It is accepted that there is a design imperative to create a building of significant status within this prime city centre location it is therefore considered that the proposed design and architectural treatment and materials are acceptable.

It is considered the amenity of future occupiers would be acceptable.

The agent has confirmed that the proposed represents an investment of circa £6.25 million from the private sector. It is anticipated that the proposal will generate circa 150 construction jobs over a 2 year build programme and a number of permanent longer term jobs within the building itself.

On balance, the proposal is considered to comply with relevant planning policy and would constitute an acceptable sustainable development at this location. This proposal would lead to the delivery of new homes and promote city centre living and deliver the regeneration of a brownfield site in the City Centre close to public transport links, in a sustainable location.

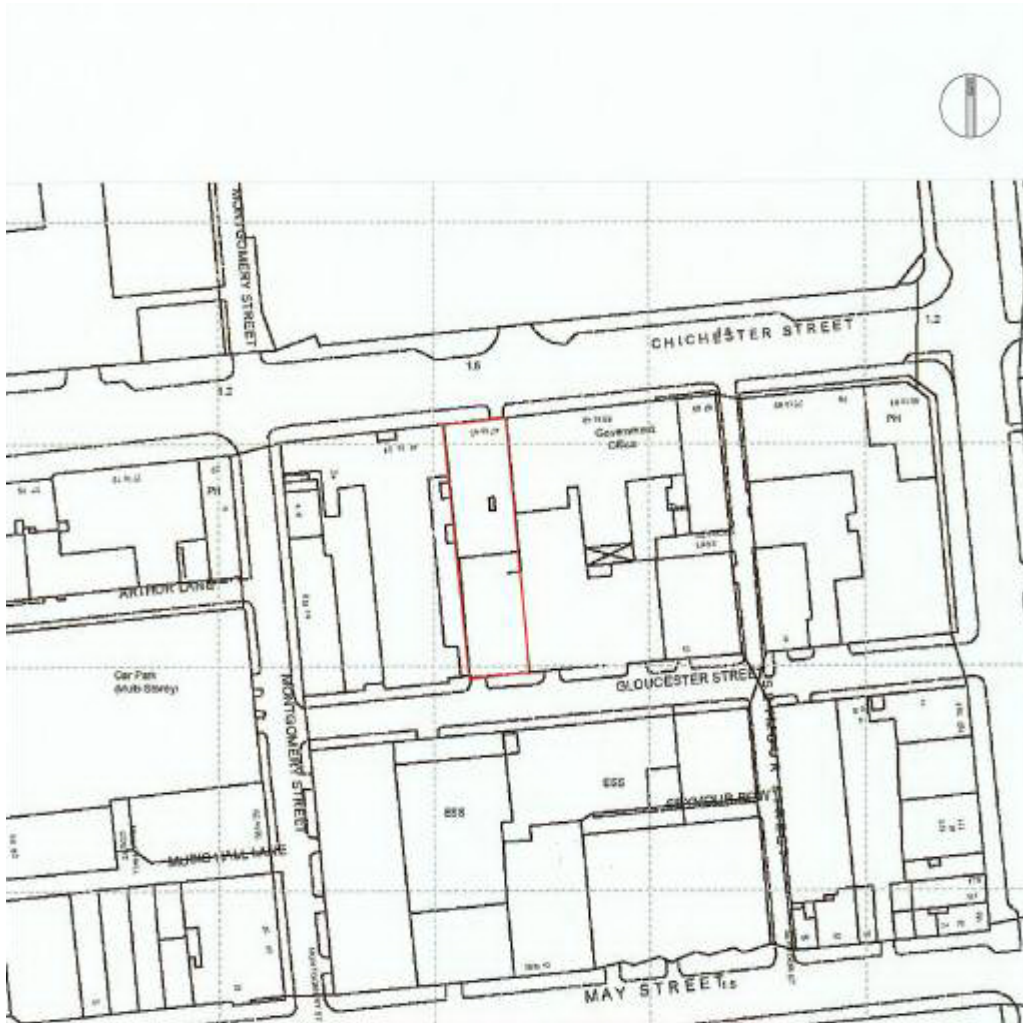
Recommendation

Approve subject to conditions set out in the case officer report and subject to the completion of an Agreement under Section 76 of the Planning Act (Northern Ireland) 2015 in respect of developer contributions (see paragraphs 9.46 below)

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

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Full planning permission is sought for 75 No apartments with an 11 storey frontage with a single storey set back to Chichester Street and 13 storey frontage to Gloucester Street. The proposal includes pedestrian access onto Chichester Street and pedestrian and vehicular access onto Gloucester Street, basement car park and ground floor car park, reception area and bicycle stands, first floor swimming pool, gym and second floor courtyard area and associated works</p>
2.0	<p>Description of Site.</p> <p>The site is located within Belfast City Centre. It is rectangular in shape and extends to approximately 0.08 hectares. It fronts onto Chichester Street and Gloucester Street and has a plot depth of 57.5 metres. The site is presently used as a car park with vehicular access off Gloucester Street. Advertising hoarding currently fronts onto the boundary with</p>

	Chichester Street. A metal fence defines the boundary with Gloucester Street.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History <ul style="list-style-type: none"> • Z/2007/2129/F: 29 – 31 Gloucester Street, Belfast – 13 storey residential development comprising 45 apartments of 1 level of car parking – Approval 07.10.08 • Z/2005/2628/F: 29 Gloucester Street, Belfast – Office Development comprising 11No floors of offices – Approval 21.06.06 • Z/2003/2387/F: 15 – 29 Gloucester Street, Belfast – 9 storey office development (ground and 8 floors of office) with basement level car park – Approval 18.03.04 • Z/2002/2627/F: 15 – 29 Gloucester Street, Belfast – Amendments to previously approved scheme (Z/2002/0010/F) for 10 storey office development with parking to rear – Approval 04.03.03 • Z/2002/0010/F: 15 – 29 Gloucester Street, Belfast – 10 storey office development with parking to rear – Approval 11.04.02
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan Designation CC 001 Belfast City Centre Designation CC 025 Belfast City Core Area of Parking Restraint Designation CC 008 Civic Precinct Designation CC 026 Area of Townscape Character Belfast City Centre – Area of Archaeological Potential
4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 – Access, Movement & Parking Planning Policy Statement 4 – Planning & Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage Planning Policy Statement 6 (Addendum) - Area of Townscape Character Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 8 – Open Space, Sport & Recreation Planning Policy Statement 13 – Transportation & Land Use Planning Policy Statement 15 (Revised) – Planning & Flood Risk
5.0	Statutory Consultee Responses
	Transport NI – No objection DARD Rivers Agency – No objection Northern Ireland Water Ltd – No objection NIEA – No objection
6.0	Non Statutory Consultees Responses
	Environmental Health BCC – No objection Building Control BCC – No objection Belfast City Airport – No objection Conservation Area Officer – Objection
7.0	Representations

7.1	A letter of representation was received from occupants of adjacent Plaza Building (31 – 41 Chichester Street) raising concerns at the potential impact the construction of the building may have on staff carrying out their day to day duties.
7.2	A letter was also received from Royal Society for the Protection of Birds (RSPB) recommending the introduction of nesting opportunities for swifts. RPSB consider that there are a number of locations nesting bricks could be suitably integrated into the buildings.
8.0	Other Material Considerations
	Living Places – An Urban Stewardship and Design Guide for Northern Ireland Belfast City Centre – Regeneration and Investment Strategy Creating Places – Achieving Quality in Residential Developments DCAN 8 –Housing in Urban Area DCAN 15 – Vehicular Access Standards Local Government Waste Storage Guide
9.0	Assessment
9.1	<p>The key issues in the assessment of this application include:</p> <ul style="list-style-type: none"> • The principle of redevelopment and proposed use at this location; • Height, Scale, Massing and Design; • Impact on Amenity; • Traffic Movement & Parking; • Other Environmental Matters; • Economic Benefits. <p>Given the city centre location the presumption is therefore in favour of development subject to the planning considerations detailed below.</p>
9.2	<p><u>The principle of redevelopment and proposed use at this location</u></p> <p>The site currently operates as a car park – with vehicular access taken from Gloucester Street and pedestrian access taken from Chichester Street. Advertising hoardings currently define the main frontage of the site onto Chichester Street. The part of the site which fronts onto Chichester Street historically housed 3No storey red brick property which was demolished in 2010. Given the site’s current use and prime location with Belfast City Centre it is considered that the redevelopment of this brownfield site will bring back a more productive and appropriate city centre use subject to the consideration and resolution of planning and environmental matters.</p>
9.3	The site is located within Belfast City Centre as defined in BMAP. The City Centre boundary is designated to encompass the traditional concentration of retailing and other city centre functions including entertainment, leisure, cultural, civic, residential and office uses.
9.4	Belfast City Centre Regeneration and Investment Strategy (Sept 2015) states that Belfast has a low overall city centre residential population in comparison to other cities. This document recognises that a significant residential population is highly important for the successful functioning of a city centre. Within this context the principle of residential use at this location is acceptable.

	<u>Height, Scale, Massing and Design</u>
9.5	Proposals for new residential development must take account of specific circumstances of each site. Policy QD 1 of PPS7 is clear in that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.
9.6	The site is located within Victoria Street / Oxford Street Area of Townscape Character. Policy ATC 2 of Addendum to PPS 6 states that development will only be permitted in an ATC where the development maintains or enhances its overall character and respects the built form of the area.
9.7	Designation CC 008 of BMAP provides general advice that development proposals shall take account of the height of adjoining buildings. With specific reference to street frontage BMAP states that part of any development which fronts onto Chichester Street shall be a minimum building height of 5 storeys and a maximum height of 7 storeys, with use of set back or sloping roof forms or a combination of both. In addition, consistent cornice lines should be respected.
9.8	The development consists of a building with a height of 36 metres (11 storeys with single storey set back) fronting onto Chichester Street and a height of 39 metres (13 storeys) to Gloucester Street. It is acknowledged that the proposed height exceeds that recommended in BMAP for this area. However, consideration needs to be given to the site context and relevant planning history. Plaza Office Building and Oxford & Gloucester House which neighbour the site on Chichester Street are 8 storeys and 7 storeys in height respectively. Victoria Square which is located opposite the site on Chichester Street is 10 storeys in height. Victoria House and City Exchange located on Gloucester Street which adjoins the subject site are 11 storeys and 9 storeys in height respectively.
9.9	In terms of planning history on the site a number of permissions were granted for buildings ranging from 9 storeys to 13 storeys on the part of the site which fronts onto Gloucester Street. These permission have now expired.
9.10	The proposed development does not meet Designation CC 008 as the building is of a higher scale. The Conservation Area Officer also states that the proposal through excessive height would be unsympathetic to the characteristic built form of the ATC. Its scale would not respect the characteristics of historic buildings in the area.
9.11	It is considered that prominence does not automatically imply harm to neighbouring buildings. The resulting regeneration must also be considered and balanced in the overall assessment of this application. Given the urban city centre context, taking account of the heights of nearby buildings and spaces between them and the proposal, it is considered that in this context, the height of the buildings proposed is acceptable and would not harm the character or appearance of the immediate area. The form and height of the building establishes a presence that is considered to be appropriate.
9.12	The proposed development will provide 75 No residential units through a mixture of 1, 2 and 3 bedroom apartments. The communal areas of the development also include a reception / management area, gym and swimming pool, external landscaped courtyard plant and service areas.
9.13	The schedule of accommodation is detailed below:

Apartment Type	Bedrooms	Square Feet	Number
A	1	710	1
B	2	871	1
C	2	861	1
D	2	905	4
E	2	925	4
F	2	796	2
G	2	883	6
H	2	861	6
I	2	871	5
J	1	871	5
K	1	495	10
L	2	495	10
M	2	840	5
N	2	820	5
O	2	915	8
P	3	1100	1
Q	3	1238	1

- 9.14 The scheme proposes two linked blocks. An 11 storey block with a single storey setback fronting onto Chichester Street and a 13 storey block fronting onto Gloucester Street connected by a centrally landscaped courtyard area above a swimming pool, gym and basement car parking accessed by all apartments at second floor level.
- 9.15 The Conservation Area Officer also raised concern regarding the design of the proposal within the ATC. The CAO states that the staggered nature of the proposed form will represent a jarring element in the streetscene. Addendum to PPS 6 states that it is important to protect the distinctive character and qualities of the ATC. New development in an ATC should seek to reinforce the local identity and promote quality and sustainability in order to respect and where possible enhance the distinctive character and appearance of the area.
- 9.16 Significantly, Annex A of Addendum to PPS 6 acknowledged that development of new buildings should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather than they should be designed with respect for their context. Paragraph 4.29 of SPPS states that planning authorities should not attempt to impose a particular architecture taste or style.
- 9.17 The architectural approach is modern. Three natural stone columns of equal spacing are proposed at ground floor level in line with neighbouring buildings on Chichester Street. The main reception area is located on the ground floor of Chichester Street with a 2.5 metre set back from the footpath and an active frontage. A secondary reception area is located along Gloucester Street. Other ground floor amenities include access to the underground car parking, cycle parking, bin storage and plant.
- 9.18 The proposed materials include natural stone cladding panels, glazing and buff bricks. This is in keeping with the surrounding context, with a selection of nearby buildings utilising natural stone and glazing. The proposal is largely glass fronted with a natural stone cladding panel which extends out over the building like a cantilever framing the building. It is proposed to use zinc on the 11th floor set back fronting onto Chichester Street. The buildings design and articulation is created by the natural stone cladding vertical columns spanning two storeys. Two floors would be expressed visually as one in terms of the elevational grid with vertical fins arranged in a staggered manner.

9.19	<p>It is conceded that the Chichester Street and Gloucester Street does not exhibit any visual cohesion with various facade treatments to buildings addressing this prominent frontage. It is accepted that there is a design imperative to create a building of significant status within this prime city centre location it is therefore considered that the proposed design and architectural treatment and materials are acceptable.</p>
	<p><u>Impact on Amenity</u></p>
9.20	<p>Guidance on the level of private open space provision for apartment developments states provision should range from a minimum of 10 square metres per unit to around 30 square metres per unit. The level of private amenity space will not in all instances meet the guidance in Creating Places. 42 of the 75 apartments would benefit from a balcony. PPS7 recognises that apartment development private open space may be provided in the form of communal gardens. A large central landscaped communal courtyard area is proposed - accessible to all apartments via corridors on the second floor. This outdoor space will include informal setting and planting areas. There are a number of open spaces within easy walking distance. Given the urban context it is considered on balance the amenity of future occupiers would be acceptable.</p>
9.21	<p>All apartments have good sized windows and an appropriate level of outlook and privacy in the context of a City Centre urban environment. The residential accommodation proposed is a mixture of one-bed, two-bed and three-bed apartments. It is considered on balance that due to the shape of the apartments, the location of rooms, large windows, balcony provision and internal layout, that these units would provide adequate space for internal circulation and carrying out expected residential functions, and are considered acceptable. It is considered that the accommodation would have appropriate size, outlook and natural light.</p>
9.22	<p>The protection of neighbouring properties from unreasonable loss of amenity is a well established planning consideration.</p>
9.23	<p>Regarding the impact on Plaza Office Building, separation distances range from between 2 metres to 6 metres between it and the proposal. The windows facing onto the side elevation of the Plaza Office Building are bathroom and bedroom. Materials proposed including grey glazed windows. The windows on the proposed block would not align with the windows on the Plaza Office Building.</p>
9.24	<p>In terms of the relationship between the proposal and Oxford House and Victoria House those existing buildings that immediately adjoin the boundary of the subject site have a blank elevation. A courtyard exists to the rear of Oxford House and Victoria Square – windows on these existing buildings look directly into the courtyard. It is considered that this relationship of the proposed building with the immediate surrounding environment is acceptable as it is common to many city centre streets. It is therefore considered on balance in a City Centre context this relationship is acceptable in privacy and outlook terms.</p>
9.25	<p>It is considered that in the more densely built character of a city centre location the proposal would give appropriate spaces between buildings and not have significant adverse effects on the amenities of neighbouring properties.</p>
	<p><u>Traffic Movement & Parking</u></p>
9.26	<p>The site is located with an Area of Parking Restraint (Designation CC 025) in BMAP.</p>

	<p>Policy TRAN 1: Parking Standards within Areas of Parking Restraints recommends a one space per dwelling for residential units. Reductions in these standards will be considered in appropriate circumstances where evidence of alternative arrangements can be clearly demonstrated.</p>
9.27	<p>The site will be served by two pedestrian access points and one vehicular access. The pedestrian access points are located at Chichester Street and Gloucester Street.</p>
9.28	<p>Planning guidance recognises that basement parking may be an appropriate parking strategy for higher density development. The development will comprise 34No car parking spaces over three basement levels with a lift and stairwell connecting these areas to the accommodation. The proposed car park will have two-way access onto Gloucester Street controlled by electronic gates. This two-way access will allow vehicles entering the apartments from Gloucester Street to access the car park area without obstruction from cars exiting the development.</p>
9.29	<p>Travel distances to public transport services are as follows:</p> <ul style="list-style-type: none"> • Public transport bus services on Chichester Street – 50 m • Public transport bus services at Donegall Square – 300m • Public transport rail services at Central Station – 600m • Public transport bus & rail services at Europa Bus Centre – 900m <p>The proposals also incorporate the provision of 76 in curtilage cycle parking spaces.</p>
9.30	<p>Given that the site benefits from a high level of pedestrian accessibility to local facilities and the public transport network a reduced level of car parking provisions is considered to be appropriate. Transport NI raised no objection to the proposal subject to conditions and informatives.</p> <p><u>Other Environmental Matters</u></p>
9.31	<p>Paragraph 4.11 and 4.12 of the SPPS states there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when proposing policies or managing development. Other amenity considerations include sewerage, drainage, waste management and water quality.</p> <p><i>Flood Risk and Drainage</i></p>
9.32	<p>The Flood Hazard Map (NI) indicates that the whole site is within the 1 in 200 year coastal floodplain of Belfast Lough. Policy FLD 1 of PPS 15 states that development will not be permitted within permitted in such locations unless the applicant can demonstrate that the proposal constitutes an exception to the policy. Given that this is a previously developed site within the City Centre the Council was satisfied that the principle of development at this location met the exceptions test detailed in Policy FLD 1 of PPS15. A Flood Risk Assessment & Drainage Assessment was submitted in support of the application.</p>
9.33	<p>Overall Rivers Agency raised no objection to the proposal subject to informatives. Rivers Agency advised that it should be brought to the attention of the applicant that ultimately the responsibility for the implementation and management of the proposed flood mitigation measures and implementation of the Flood Risk Management Plan rests with the</p>

	development and their professional advisors.
9.34	Northern Ireland Water Ltd has been consulted on the proposal and confirmed that the waste water treatment work (WWTW) has available capacity to accept the additional load. Given that NIW confirmed available capacity, NIEA: Water Management Unit has no objection to the proposal subject to informative detailed below.
9.35	Having had regard to the above it is considered that the proposal would not have a significant impact on flood risk, drainage and the sewerage system. The proposed scheme is therefore considered acceptable in accordance with Policy FLD 1 and Policy FLD 3 of PPS 15 and the SPPS with respect to flood risk, drainage and sewerage capacity.
	<i>Contaminated Land</i>
9.36	Preliminary and Generic Quantitative Risk Assessments were submitted in support of the application. No unacceptable risks to the water environment were identified. Waste Management (NIEA) and Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives.
	<i>Archaeology and Built Heritage</i>
9.37	The application is located with the Belfast Area of Archaeological Potential as identified in BMAP. Historic Monuments Unit (HMU) is content with the proposal conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of construction or to provide for their preservation in situ.
	<i>Noise & Air Quality</i>
9.38	A Noise Impact Assessment and an Air Quality Impact Assessment were submitted in support of the application.
9.39	The Noise Impact Assessment recommends mitigation measures to be incorporated within the design such as facade sound reduction and floor/ceiling and wall acoustic upgrade at specified ground and first floor level apartments to ensure that sound transfer from building services plant rooms and exercise areas do not exceed the indoor noise climate criteria.
9.40	The Air Quality Impact Assessment demonstrated that the proposed development will not have an adverse impact on air quality in the vicinity of the site and there will be no significant air quality impact on future residents.
9.41	Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives.
	<i>Waste Storage</i>
9.42	A Waste Management Plan was submitted in support the application. The vehicular access from Gloucester Street also provides access to the ground floor service area which contains plant rooms, switch room and bin storage area. This bin area supports storage for recyclable waste and residual waste using 1100 litre euro bins and organic waste using 240 litre wheeled bins. Deliveries and bin collections will be via Gloucester Street.
	<i>Representations</i>
9.43	A letter was received from neighbouring Plaza Office Building requesting clarification on

9.44	<p>the method of construction to be used for the development. The applicant advised that it is proposed to use contiguous piled wall method. The submission of a Construction Method Statement will be conditioned as part of any future planning permission.</p> <p>A letter was also received from the Royal Society for the Protection of Birds (RSPB). The letter advised that there are a number of locations nesting birds for birds could be suitably integrated into the buildings. This has been sent to the applicant for information.</p> <p><u>Economic Benefits</u></p> <p>The agent has confirmed that the proposed represents an investment of circa £6.25 million from the private sector. It is anticipated that the proposal will generate circa 150 construction jobs over a 2 year build programme and a number of permanent longer term jobs within the building itself.</p> <p><u>Developer Contributions</u></p> <p>In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement with Belfast City Council to provide contributions to local environmental improvements.</p> <p>In this case it is considered that this should primarily take the form of public realm improvements to the streetscape around the building. The sum of monies / works to be undertaken are to be agreed with the developer / landowner and the developer has expressed a willingness and commitment to provide satisfactory contributions.</p>
10.0	Summary of Recommendation: Approval subject to Conditions
10.1	<p>The above matters are considered to be the main planning issues. All other matters raised by consultees and third parties have been assessed and are not considered to outweigh the conclusion that on balance, the proposal is considered to comply with relevant planning policy and would constitute an acceptable sustainable development at this location. This proposal would lead to the delivery of new homes and deliver the regeneration of a brownfield site in the City Centre close to public transport links, in a sustainable location.</p>
11.0	Conditions and Informatives
	<p><u>Conditions</u></p> <ol style="list-style-type: none"> As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: Time Limit</p> <ol style="list-style-type: none"> The development hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with Drawing No.29A bearing the date stamp Planning Service Received 30 November 2015.

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

3. No dwelling shall be occupied until the appropriate parking has been provided and permanently marked in accordance with the approved drawing Nos. 23, 24, & 25 bearing the date stamp Planning Service Received 12 October 2015. These facilities shall be permanently retained.

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

4. No dwelling shall not be occupied until cycle parking has been provided and permanently retained in accordance with approved drawing Nos. 23, 24, & 25 bearing the date stamp Planning Service Received 12 October 2015.

Reason: To ensure that adequate provision has been made for cycle parking and to encourage and promote alternative modes of transport

5. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

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

6. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

7. In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Planning Service for approval. This investigation and risk assessment (and verification report if required) must be undertaken in accordance with current best practice.

Reason: Protection of human health

8. Prior to the occupation of the development, a Verification Report must be submitted which demonstrates that the noise mitigation measures and recommendations outlined in the submitted Lester Acoustics '*Proposed residential at Nos 43-47 Chichester Street, Belfast; Noise Impact Assessment; Report reference MRL/1000/L01, dated 11th August 2015* have been fully implemented within the specified areas of the development.

The report must also demonstrate that internal noise levels within any apartment shall not:

exceed 40 dB $L_{Aeq,16hr}$ at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.

exceed 35dB $L_{Aeq,8hr}$ at all other times measured over a five minute period within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.

not exceed 45 dB L_{AMax} for any single sound event between 23:00 hrs and 07:00 hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.

Reason: Protection of residential amenity

9. If during the development works, new contamination and risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing.

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

10. Should unacceptable risks to the water environment be identified under Condition 1 and piling is employed as a foundation solution, no development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention".

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

11. After completing any remediation works under Conditions 9 and 10; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

12. Prior to commencement of development a Construction Management Plan must be submitted to Belfast City Council for agreement.

Reason: To mitigate any adverse impact to surrounding neighbours during construction.

Informatives

1. The approval does not dispense with the necessity of obtaining the permission of the owners of adjacent dwellings for the removal of or building on the party wall or boundary whether or not defined.
2. This permission does not confer title. It is the responsibility of the developer to

ensure that he controls all the land necessary to carry out the proposed development.

3. No work can commence on the removal of the existing on street parking bay and provision of the new parking bay on Gloucester Street, until an amendment has been approved under The On-Street Parking (Northern Ireland) Order 2000, following the grant of planning permission. The applicant is asked to contact Transport NI Network Traffic Section, Hydebank, 4 Hospital Road, Belfast BT8 8JL, telephone (028) 9025 3099 in this regard.
4. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
5. Notwithstanding the terms and conditions of the Planning Service approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is, 148-158 Corporation Street, Belfast, BT1 3DH. A monetary deposit will be required to cover works on the public road.
6. It is the responsibility of the developer to ensure that surface water does not flow from the site onto the public road.
7. All construction plant and materials shall be stored within the curtilage of the site.

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NI) 2011

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

POLLUTION CONTROL AND LOCAL GOVERNMENT (NI) ORDER 1978

9. The applicant is advised to refer to Belfast City Council's Noise Control Advice Note for Construction and Demolition Sites (available at <http://www.belfastcity.gov.uk/buildingcontrol-environment/noisecontrol/typesofnoise.aspx>.) and British Standard 5228-1:2009 – Code of practice for noise and vibration control on construction and open sites – Part 1:Noise.
10. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
11. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
12. Any proposals in connection with the development, either temporary or permanent

which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

13. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
14. The developer is advised that ultimately the responsibility for implementation and management of the proposed flood mitigation measures and implementation of the Flood Risk Management rests with the developer and their professional advisors.
15. The purpose of Conditions 9– 11 is to ensure that risk assessment and any remediation work is undertaken to a standard that enables safe development and that the site is suitable for use such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

Comments provided by NIEA in regards to this application area are without prejudice to any further statutory control which may be required under Part III or any other future environmental legislation.

16. The applicant should ensure that the management of all waste are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999. This should be demonstrated through a Site Waste Management Plan (see <http://www.netregs.gov.uk>)
17. Public water and foul sewer within 20 metres of your proposal, consultation with NIW is required to determine how your proposal can be served.
18. No surface water sewer within 20 metres of your proposal, you may wish to apply to NIW to requisition a surface water sewer to serve your proposal if it will serve more than 1 property to discharge roof drainage.
19. The developer is advised to consult NIW at an early design stage by means of a Predevelopment Enquiry to determine how this proposal may be served.
20. If during the course of development the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002/.
21. All services within the development should be laid underground.
22. The applicant will be required to adhere to all appropriate advice detailed in:

DOE Standing Advice Note No.4 – Pollution Prevention Guidance (April 2015):
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_4_pollution_prevention_guidance.pdf

DOE Standing Advice Note No. 5 – Sustainable Drainage Systems (April 2015)
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_5_sustainable_drainage_systems.pdf

DOE Standing Advice Note No.18 – Abstractions & Impoundments (May 2015)
http://www.planningni.gov.uk/index/advice/northern_ireland_environment_agency_guidance/standing_advice_18__abstractions_and_impoundments_issue_01_may_2015-2.pdf

23. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.
23. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.
24. The developer is advised to refer to 'Safeguarding of Aerodrome Advice Note 4 – Cranes 4 Other Construction Issues'.
25. The developer is advised to refer to In Focus A Briefing from the Civil Aviation Authority – 'Guidance to Crane Operators on Aviation Lighting and Notification' (March 2014).

Signature (s)

Date:

ANNEX	
Date Valid	26th June 2015
Date First Advertised	24th July 2015
Date Last Advertised	18th December 2015
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 2-12 Lesley Suites Montgomery Street</p> <p>The Owner/Occupier, 1-12, Montgomery Street, Town Parks, Belfast, Antrim, BT1 4NX,</p> <p>The Owner/Occupier, 13 Gloucester Street Town Parks Belfast</p> <p>The Owner/Occupier, 16-18 Northern Court Gloucester Street Town Parks</p> <p>The Owner/Occupier, 1st Floor 65-67 Chichester Street Belfast</p> <p>The Owner/Occupier, 1st Floor City Exchange 11-13 Gloucester Street Belfast</p> <p>The Owner/Occupier, 2 2-12 Lesley Suites Montgomery Street</p> <p>The Owner/Occupier, 2-12 Lesley Suites Montgomery Street Town Parks</p> <p>The Owner/Occupier, 2-12 Lesley Suites Montgomery Street Town Parks</p> <p>The Owner/Occupier, 2nd Floor 65-67 Chichester Street Belfast</p> <p>The Owner/Occupier, 2nd Floor City Exchange 11-13 Gloucester Street Belfast</p> <p>The Owner/Occupier, 3 2-12 Lesley Suites Montgomery Street</p> <p>The Owner/Occupier, 31-41 Plaza Building Chichester Street Town Parks</p> <p>The Owner/Occupier, 3rd Floor 65-67 Chichester Street Belfast</p> <p>The Owner/Occupier, 3rd Floor City Exchange 11-13 Gloucester Street Belfast</p> <p>The Owner/Occupier, 4 2-12 Lesley Suites Montgomery Street</p> <p>The Owner/Occupier, 49-55 Oxford House Chichester Street Town Parks</p> <p>The Owner/Occupier, 4th Floor 65-67 Chichester Street Belfast</p> <p>The Owner/Occupier, 4th Floor City Exchange 11-13 Gloucester Street Belfast</p> <p>The Owner/Occupier, 5 2-12 Lesley Suites Montgomery Street</p>	

The Owner/Occupier,
5th Floor City Exchange 11-13 Gloucester Street Belfast
The Owner/Occupier,
6 2-12 Lesley Suites Montgomery Street
Wallace Cowan
6, Apartment 77, Northview, Newtownabbey, Antrim, Northern Ireland, BT36 7GA
The Owner/Occupier,
65-67 Scottish Legal Building Chichester Street Town Parks
The Owner/Occupier,
65-67 Chichester Street, Town Parks, Belfast, Antrim, BT1 4QU,
The Owner/Occupier,
6th Floor City Exchange 11-13 Gloucester Street Belfast
The Owner/Occupier,
7 2-12 Lesley Suites Montgomery Street
The Owner/Occupier,
7th Floor City Exchange 11-13 Gloucester Street Belfast
The Owner/Occupier,
8 2-12 Lesley Suites Montgomery Street
The Owner/Occupier,
8th Floor City Exchange 11-13 Gloucester Street Belfast
The Owner/Occupier,
AON Risk Services (NI) Ltd Victoria House 15-27 Gloucester Street Belfast
The Owner/Occupier,
Apartment 0J 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 1A 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 2B 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 3C 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 4D 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 5E 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 6F 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 7G 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 8H 70 Chichester Street Belfast
The Owner/Occupier,
Apartment 9I 70 Chichester Street Belfast
The Owner/Occupier,
Athur Cox Victoria House 15-27 Gloucester Street Belfast
The Owner/Occupier,
Corporate Service Department 22-38 Gloucester Street Belfast
The Owner/Occupier,
Cybersource Victoria House 15-27 Gloucester Street Belfast
The Owner/Occupier,
DSD Social Security Agency Plaza Building 31-41 Chichester Street Belfast

The Owner/Occupier,
 Department For Employment_Learning Gloucester House 57-63 Chichester Street
 Belfast
 The Owner/Occupier,
 Euro Employment Service Gloucester House 57-63 Chichester Street Belfast
 The Owner/Occupier,
 F1 70 Chichester Street Belfast
 The Owner/Occupier,
 F2 70 Chichester Street Belfast
 The Owner/Occupier,
 F3 70 Chichester Street Belfast
 The Owner/Occupier,
 F4 70 Chichester Street Belfast
 The Owner/Occupier,
 General Register Office Oxford House 49-55 Chichester Street Belfast
 The Owner/Occupier,
 Ground Floor 65-67 Chichester Street Belfast
 The Owner/Occupier,
 Keenan CF Victoria House 15-27 Gloucester Street Belfast
 The Owner/Occupier,
 Oracle Victoria House 15-27 Gloucester Street Belfast
 Ciaran McLarnon
 RSPB Northern Ireland HQ, Belvoir Park Forest, Belvoir Drive, Belfast, BT8 7QT
 The Owner/Occupier,
 RSPB Victoria House 15-27 Gloucester Street Belfast
 The Owner/Occupier,
 Slims Kitchen 70 Chichester Street Belfast
 The Owner/Occupier,
 Topshop 70 Chichester Street Belfast
 The Owner/Occupier,
 Value Cabs 70 Chichester Street Belfast
 The Owner/Occupier,
 Zurich Insurance Group Ltd Victoria House 15-27 Gloucester Street Belfast

Date of Last Neighbour Notification	21st January 2016
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Date of EIA Determination	N/A
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ES Requested	N/A
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Drawing Numbers 01 – 31A

Representations from Elected Members:
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None
