

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 15 th August 2017	
Application ID: LA04/2017/0288/F	
Proposal: Demolition of existing building at 4-5 Donegall Square South and erection of a new 9 no. storey mixed use development including two level basement incorporating car parking and office, A1/A2 use on ground floor and 1st to 8th floor offices with associated roof external plant screen.	Location: 4-5 Donegall Square South, Belfast BT1 5JA.
Referral Route: Major development	
Recommendation:	Approval inc. Section 76 agreement
Applicant Name and Address: Killultagh Estates Ltd 21 Alfred Street Belfast BT2 8BD	Agent Name and Address: Todd Architects 2nd Floor Titanic House 6 Queens Road Belfast BT3 9DT
<p>Executive Summary: This application seeks full planning permission for the demolition of the existing building and construction of a new 9 storey mixed use building with basement parking, A1/A2 use on the ground floor, upper floors in office use and an external plant screen at roof level.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Acceptability of proposed uses • Design, impact on character and appearance of the Conservation Area and setting of Listed Buildings • Impact on area of archaeological potential • Impact on existing roads infrastructure/ acceptability of access arrangements/ parking • Impact on amenity • Contamination • Infrastructure Capacity • Flooding • Section 76 <p>The site is located within Belfast City Centre as designated in the Draft Belfast Metropolitan Area Plan. It is also within Linen Conservation Area and borders the City Centre Conservation Area and is within the Commercial District Character Area and the Civic Precinct Character Area. The site adjoins the Local Landscape Policy Area for the City Hall. The principle of the office use and retail unit is acceptable given the city centre location.</p> <p>It is considered that the existing building makes no material contribution to the character and appearance of the Conservation Area and as such there is no objection to its demolition. Objections</p>	

have been received from the Council's Conservation Officer and HED on the proposed replacement building and its impact on the character and appearance of the Conservation Area and the setting of the City Hall.

These concerns have been carefully considered by Officers'. However, given the city centre context of the site, taking account of the heights of nearby adjoining buildings, with the shoulder height respecting that of its neighbours and the set back of the upper floors, it is considered that the proposed height of the building would not be harmful to the streetscene and wider area. Whilst it is modern in its architectural approach, the building would respect its context with cues to the historical built form in line with Policy BH12 of PP6. Overall, it is considered that the proposal would represent an enhancement to Linen and the City Centre Conservation Areas.

In terms of the setting of the City Hall, whilst the views across the Civic Square would change, the City Hall and its formal setting would remain the dominant feature. The marginal differences in the height and depths of the upper floors of the proposed building in relation to the Bank of Ireland and Metro buildings would not be so noticeable as to represent demonstrable negative harm to the setting of the City Hall that would warrant refusal of the scheme.

Transport NI, NI Water, Rivers, DAERA, the Council's Environmental Health Unit and the Council's Independent Urban Design Advisor were consulted and have offered no objections to the proposal subject to conditions.

1 letter of representation was received objecting to the proposed development over loss of light, failure to comply with design guidance in BMAP and adverse impact on the Conservation Area and setting of City Hall.

On balance and having regard to the development plan, relevant planning policies and other material considerations, the proposal would constitute an acceptable sustainable development. It would create over 7000m² of Grade A office space in a prime city centre location making a valuable contribution to the local economy and job creation.

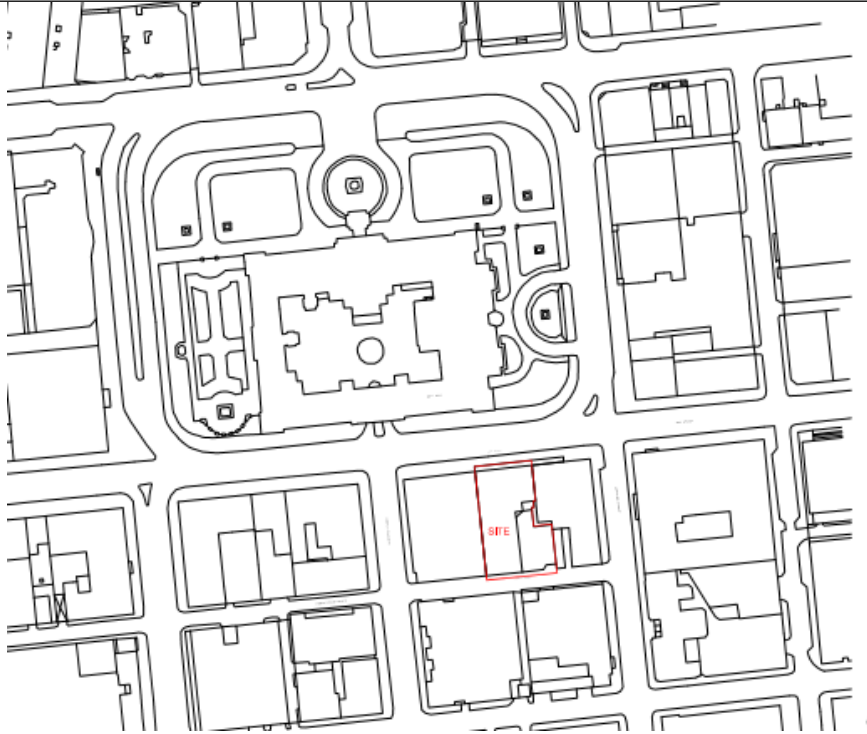
Recommendation

Subject to the referral of the application to the Department under Section 29 of the Planning Act (Northern Ireland) 2011 and failing any direction from the Department:

It is requested that committee delegate authority to the Director of Planning and Place to grant planning permission subject to the conditions listed in Section 11 of the report with the final wording of conditions to be agreed and the completion of a Section 76 agreement to mitigate the impacts to the public realm.

Case Officer Report

Site Location Plan



1.0	<p>Description of Proposed Development</p> <p>This application seeks full planning permission for the demolition of the existing building at 4-5 Donegall Square South and the erection of a nine storey mixed use building including two level basement incorporating car parking and offices, flexible uses (A1, A2) on the ground floor and 1st to 8th floor offices with an associated external plant screen on the roof.</p> <p>Amendments were secured during the processing of the application including the following:</p> <ul style="list-style-type: none"> • Removal of the 9th floor • Set back of the 8th by 3 metres
2.0	<p>Description of Site</p> <p>The application site comprises of a six storey 1980's office building with frontages to both Donegall Square South and Donegall Square Mews. There is a small yard to the rear which is used for surface car parking. The building is situated between the nine storey Bank of Ireland building to the east and the nine storey Metro office building to the west. The City Hall lies to the north which provides the civic setting for the area. The site forms part of Linen Conservation Area.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	<p>Site History</p> <p><u>Application Site</u> LA04/2017/0219/DCA – Demolition of existing building at 4-5 Donegall Square South – Pending</p> <p>LA04/2016/1421/PAN - Demolition of existing building and erection of multi-storey office development with 2 level basement – Proposal of application notice acceptable 26.07.2016</p> <p><u>Surrounding area</u> 11 Donegall Square South LA04/2016/1108/F - Proposed demolition of existing office building and the erection of an 8 storey office building and plant room at roof, including car parking for 9 cars at ground level – Pending</p> <p>LA04/2016/0098/F - Proposed change of use from 7 storey office building to provide additional hotel accommodation for adjacent Ten Square Hotel (66 ensuite bedrooms) and ancillary accommodation, including façade elevational changes – Approved 11.11.2016</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP) (Draft) Belfast Metropolitan Area Plan</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
4.2	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Environment</p>
5.0	<p>Statutory Consultees</p> <p>Historic Environment Division (HED) (Historic Buildings) – Objection, the proposal would if permitted, have an adverse impact on the setting of the listed building and in its current form fails to satisfy Policy BH11 of PPS6. HED (Historic Monuments) – No objection subject to conditions</p>

	<p>Transport NI – The proposed layout is acceptable in principle, further detail is required for Private Streets Determination</p> <p>DAERA (Drainage, Water) – Concerned that the sewage loading associated with the proposal has the potential to cause environmental impacts if transferred to Belfast Waste Water Treatment Works (WWTW), however if NI Water indicate there is capacity, then Waste Management would have no objection</p> <p>DAERA (Land, Soil, Air) – No objection subject to conditions</p> <p>Belfast City Airport – No objection</p> <p>NI Water – No objection</p> <p>Rivers Agency – No objection</p>
6.0	<p>Non-Statutory Consultees</p> <p>Environmental Health BCC – No objection subject to conditions</p> <p>Conservation Officer BCC – Objection, amendments are noted, however it is still considered that the height is excessive and the elevational form is not contextually appropriate</p> <p>Independent Urban Design Officer – No objection</p>
7.0	<p>Representations</p> <p>1 letter of objection received, summarised as:</p> <ul style="list-style-type: none"> • Proposal fails to comply with design guidance set out in BMAP, Policies BH11 and BH12 of PPS6. Concerns of consultees have not been adequately addressed in particular HED, Conservation Officer and Urban Design Officer Officer Response: Addressed in paragraphs 9.5 – 9.17 below • Loss of light to the stairwell windows of the Metro Building Officer Response: This is a non-habitable area. Main office space would remain unaffected with light received from north, south and west. Addressed in paragraph 9.24 below
8.0	<p>Other Material Considerations</p> <p>City Centre Conservation Area guidance document</p> <p>Linen Conservation Area guidance document</p>
9.0	<p>Assessment</p>
9.1	<p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> - Acceptability of proposed uses - Design, impact on character and appearance of the Conservation Area and setting of Listed Buildings - Impact on area of archaeological potential - Impact on existing roads infrastructure/ acceptability of access arrangements/ parking - Impact on amenity - Contamination - Infrastructure Capacity - Flooding - Section 76
9.2	<p><u>Acceptability of proposed uses</u></p> <p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The appeal site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p>
9.3	<p>There is no major conflict between the BUAP, Draft BMAP and the SPPS in terms of office policy. The proposed office use including A2 use is within a prime city centre location which is promoted as the primary place for office development through the RDS, SPPS, Draft</p>

	BMAP and PPS 4. The proposal would create approximately 7295m ² of Grade A office space which would make a valuable contribution to the local economy and job creation.
9.4	The proposed ground floor use for A1(retail) would have a total floor space of approximately 483 square metres. Whilst it is noted that this would be outside the primary retail core, given the scale and nature of the proposed retail unit and its location in the City Centre bordering the primary retail core, it is not considered that it would be detrimental to the vitality and viability of the retail core and would accord with the main principles of the SPPS and Draft BMAP.
9.5	The proposed mix of A1 and A2 use on the ground floor would provide the developer with greater flexibility when securing a prospective occupier while helping to achieve an active frontage to this important street. As such there is no objection to this approach.
	<u>Design, impact on character and appearance of the Linen Conservation Area and setting of Listed Buildings/</u> <i>Design</i>
9.6	The front of the site adjoins the Civic Precinct Character Area with the southern portion of the site within the Commercial District Character Area as designated in Draft BMAP which set out a number of urban design criteria. The general approach to these designated character areas was accepted by the Planning Appeals Commission at examination in light of objections received and as such it is considered that these policies can still be afforded significant weight in the determination of the application.
9.7	These criteria require new development to take account of the height of adjoining buildings and to respect the established building line. In terms of the site specific criteria there is a requirement for part of the development that fronts onto Donegall Square South to be a minimum of 5 storeys and a maximum of 7 storeys and the development that fronts onto Donegall Square Mews to be a maximum of 9 storeys.
9.8	In this instance the urban design criteria in respect of the Commercial District Area are met. Whilst the proposed building would be 2 storeys higher than stipulated in Draft BMAP for the Civic Precinct Character Area, the proposed building at a height of 33.8 metres would be similar in height to the adjoining Bank of Ireland and other buildings within the vicinity. The main building line and shoulder height along Donegall Square South would be respected at 6 storeys with the upper three floors set back a distance of 3 - 6 metres and clad in curtain wall glazing, thus reducing the perceived scale and massing of the building. It is also worth noting that the reasoning for the maximum height is to maintain the dominance of the City Hall which will be discussed in further detail below under the setting of the Grade A City Hall. In any case, it is considered that the proposed development will not compromise this setting. On this basis, the height, scale and massing is found to be acceptable in this city centre location.
9.9	The design of the proposed building is contemporary with a modern take on the historic urban grain of the area. The building is clearly denoted with a strong base and projecting canopy which is in keeping with the double height base established on the adjoining buildings. The main building façade is broken into three clear vertical boxes / bays which is framed in solid limestone which attempts to reflect the more traditional plot widths and reinforce the vertical proportions and bay widths expressed on surrounding buildings including the City Hall. In addition, the curtain wall glazing has been carefully proportioned to ensure an appropriate solid to void ratio similar to its neighbours. The upper glazed floors represent the attic which continues on the vertical proportions with aluminium fins, but to a finer degree thus reducing its overall massing and representing a more subservient form. Overall it is considered that the proposed building is of a high quality design that would be in keeping with the character and appearance of the area as required by the SPPS.

9.10	<p><i>Impact on the character and appearance of the Conservation Area</i></p> <p>The proposal involves the demolition of an existing 1980s office building with some interesting articulation associated with the post-modernist era. However, the building falls outside the essential character of the conservation area and is not considered to make a material contribution to the character and appearance of the area. The Council's Conservation Officer has no objection to its demolition subject to a satisfactory replacement being agreed.</p>
9.11	<p>The proposal falls within Linen Conservation Area and borders the City Centre Conservation Area. The Conservation Officer has objected to the proposed replacement building over its excessive height which they consider to be unsympathetic to the characteristic built form of the area. They also consider the façade treatment to be inappropriate to both Donegall Square South and Donegall Square Mews with the proposal failing to contribute to the reading of the area as a Victorian/ Edwardian commercial civic place.</p>
9.12	<p>It is important to note that Conservation Areas are continually evolving and changing, which is indeed the case here with a mixture of modern infills sitting alongside the traditional buildings. Paragraph 7.7 of the supporting text to Policy BH12 advises that "new buildings in a Conservation Area should be stimulus to imaginative, high quality design...what is important is not that new buildings imitate earlier styles, rather that they should be designed with respect for their context".</p>
9.13	<p>The justification for height has already been explained in paragraph 9.7 above, which will help to frame the civic setting of the Square having regard to the height of surrounding buildings. In respect of the elevation facing Donegall Square Mews, the height of building / shoulder height would be in keeping with the higher density taller buildings in Linen Conservation Area to the south. In terms of the elevational rhythm at the rear, there is no strong pattern on the adjoining buildings facing onto Donegall Square Mews with a mixture of horizontal and vertical elements. The proposed building would incorporate both these elements, with public views minimal due to the narrow nature of the street, thus having a minimal impact on character and appearance of the Conservation Area at this point.</p>
9.14	<p>In terms of the front elevation, it is acknowledged that this is not a Victorian/ Edwardian design. However regard needs to be paid as to how this fits in with the streetscape between two existing modern buildings in a Conservation Area. The proposed building has taken cues from both the modern and traditional built form which is discussed in in detail in paragraph 9.8 below, which results in a building that is considered respectful of its context. On balance, it is considered that the proposal would represent an enhancement to the character and appearance of the Conservation Area over the existing building in accordance with the SPPS and PPS6.</p>
9.15	<p><i>Impact on the setting of listed buildings</i></p> <p>The application site forms part of the main setting to the Grade A listed building of the City Hall. HED have reviewed the amended plans and have advised that the neighbouring buildings have set up upper edge profiles and heights, which, to varying degrees regard the setting of the City Hall. HED consider any proposal at this site, should adhere to these established lines as a minimum. On this basis, they consider that the proposal would have an adverse impact on the setting of the City Hall.</p>
9.16	<p>The proposed building would be no taller than the adjoining Bank of Ireland building with the exception of the plant screen enclosure. The plant screen would be set back 15.8 metres from the building edge and thus would be largely unseen in terms of any viewpoints from the street scene and the wider area.</p>
9.17	<p>The upper floors including the 6th and 7th floor would be set back 3 metres and the 8th floor set back 6 metres from the building edge. It is acknowledged that these setbacks do not</p>

	<p>marry directly with the adjoining buildings. However, this is difficult to achieve given each building is stepped back at different depths and heights. On the 7th floor the proposed building would only project a further 2 metres and on the 8th floor a further 0.5 metres beyond the building line of the Bank of Ireland. In terms of the Metro Building, the 7th floor would project a further 3 metres and the 8th floor 3.5 metres. The edges of the proposed upper floors are fully glazed which would help reduce any perceived bulk/ dominance in respect of the upper floors. In terms of the long distance views of the City Hall, the marginal differences in the setbacks would not be so noticeable as to adversely affect the setting of the listed building as shown in the submitted CGI's with the City Hall remaining the dominant feature and sufficient visual spacing retained. Any short distance views of the proposed building would be read in the context of the streetscene of the adjoining buildings along Donegall Square South as opposed to directly competing with the City Hall.</p>
9.18	<p>The concerns of HED has been carefully considered however Officers' do not agree that the proposals represent demonstrable negative harm on the setting of the City Hall that would warrant refusal of the scheme. As such the proposal is considered to comply with Policy BH11 of the PPS11 and the SPPS. A condition has been recommended to ensure the use of high quality material that respect the civic setting of the area.</p>
9.19	<p><u>Impact on area of archaeological potential/ Local Landscape Policy Area</u> The site is located within an area of archaeological potential. HED were consulted and are content that appropriate archaeological mitigation measures can be secured via conditions requiring a programme of archaeological work. As such the proposal is considered to accord with Policy BH4 of PPS6 and the SPPS.</p>
9.20	<p>The site also adjoins the Local Landscape Policy Area for the City Hall as designated in Draft BMAP. No major changes were proposed to the Local Landscape Policy Area for the City Hall as a result of the examination of the draft plan and as such it is considered that this policy can still be afforded significant weight in the determination of the application. As explained in the section above, it is not considered that the proposal would cause an adverse impact on the special qualities of this area including the City Hall and its grounds and formal setting in accordance with Policy ENV1.</p>
9.21	<p><u>Impact on existing roads infrastructure/ acceptability of access arrangements/ parking</u> The planning application is supported by a Transport Assessment, Framework Travel Plan and Service Management Plan. The site is located within an area of parking restraint as designated in Draft BMAP, it is considered that Policy TRAN 1 can be afforded significant weight given the minor amendments proposed to the policy following its examination. A total of 23 spaces are to be provided as part of the development. Whilst this is below the standard recommended in Draft BMAP, justification is provided for this level of parking due to the site's extremely sustainable location with a wide range of alternative transport modes and the operation of a Travel Plan. This approach accords with the SPPS to help reduce the reliance on the use of private car.</p>
9.22	<p>Due to the reduced level of car parking provision and the sustainable modes of transport available, it is not considered that the development would have a significant adverse impact on the operation of the surrounding highway.</p>
9.23	<p>A new vehicular access to the basement car park is to be installed at the rear of the building along Donegall Square Mews. Whilst this access would have substandard visibility splays, this is similar to other accesses in the vicinity. Furthermore, the applicant has agreed to install a new footpath along the rear of the building with a traffic management system and in conjunction with the lightly trafficked nature of this road, the proposal is not considered to raise any highway safety issues. Transport NI have agreed in principle to the proposed layout with some further detailing required. Upon receipt of these plans, the final wording of</p>
9.24	<p>conditions will be confirmed.</p>

9.25	<p>The proposal is therefore considered to be acceptable in terms of highway safety, capacity and car parking and would comply with Draft BMAP, PPS3 and the SPPS.</p>
	<p><u>Impact on amenity</u></p>
9.26	<p>The surrounding area consists of commercial buildings which are not afforded the same degree of amenity as residential buildings given the nature of the way they are occupied and utilised. The proposed building will be taller than existing and infill a larger area and as such it will cause a loss of daylight / sunlight to adjoining buildings. However, given the commercial nature of the buildings and the city centre location, this is not considered so significant to warrant refusal of the scheme on this basis.</p>
9.27	<p>A Noise Impact Assessment has been submitted which assesses the impact of the proposal on the nearest noise sensitive uses which has shown this to be within acceptable levels. This has been reviewed by Environmental Health who have no objection subject to a condition restricting the rating level of the external mounted roof plant.</p>
9.28	<p>The submitted Air Quality Assessment has been reviewed by Environmental Health who have advised the proposal would have a negligible impact on the surrounding area with no significant effects on local air quality.</p>
	<p>In light of the above, it is considered that an adequate level of amenity would be maintained in accordance with the SPPS.</p>
	<p><u>Contamination</u></p>
9.29	<p>The application is supported by a Preliminary Risk Assessment which identifies potential pollutant linkages on the site with low to moderate risk class which requires further ground investigation works in the form of a Generic Quantitative Risk Assessment. Environmental Health and DAERA (Land, Soil and Air) have been consulted and have no objection to these matters being conditioned. In light of the level of risk and the consultation responses received, it is considered any contamination issues can be appropriately addressed by conditions.</p>
	<p><u>Infrastructure Capacity</u></p>
9.30	<p>DAERA (Drainage, Water) cited concern over the potential impact on sewage loading to Belfast waste water treatment works (WWTW). However, NI Water have confirmed that there is available capacity within the WWTW and as such no objection is raised.</p>
	<p><u>Flooding</u></p>
9.31	<p>The site is not located within the fluvial or coastal flood plain. In line with the requirements of the SPPS and PPS15 the application is supported by a Drainage Assessment. This has been reviewed by Rivers Agency who have cited no objection. It has been demonstrated that adequate measures will be put in place to effectively mitigate the flood risk to the proposed development and from development elsewhere. As such the proposed would comply with Policy FLD3 of PPS 15 and the SPPS.</p>
	<p><u>Section 76</u></p>
9.32	<p>Owing to the scale of the development proposed for a major office development in the city centre, which will increase the use of public spaces surrounding the site, it is considered appropriate that any planning approval should be subject to the developer entering into a legal agreement with Belfast City Council to provide contributions towards local environmental improvement works. The developer has expressed a commitment to provide contributions with the final sum of monies / works to be undertaken to be agreed.</p>

10.0	Pre-Application Community Consultation
10.1	For applications that fall within the major category a 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.
10.2	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 (LA04/2016/1421/PAN) was submitted to the Council on 11 th July 2016.
10.3	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 to accompany the planning application.
10.4	A Pre Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:
10.5	A Public Information Event was held at 4-5 Donegall Square South on the 25 th August 2016. This event was advertised in the Belfast Telegraph on 11 th August 2016. The advert was also advertised through a mail drop/ invites to local business, residents and Councillors.
10.6	The event took the form of a staffed exhibition where annotated plans of the proposed development were displayed. Feedback forms were provided for comments to be made. The event was attended by 8 people, with 2 feedback forms returned.
10.7	Overall the feedback from the public consultation event was positive with the potential employment and economic benefits welcomed. A letter of objection was received from an adjoining building with concerns over the scale, massing and right to light. The applicant provided a response seeking to address the various issues raised.
10.8	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
11.0	<p>Conditions:</p> <ol style="list-style-type: none"> 1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: Time Limit. 2. The development hereby permitted shall not commence until details and samples and a written specification of the materials to be used in the external elevations, have been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details. Reason: To protect the visual amenities of the area including the conservation area and setting of the City Hall listed building. 3. The development hereby permitted shall not become operational until a Travel Plan has been prepared in general accordance with the Framework Travel Plan stamped received by Belfast City Council 27th January 2017. The development

shall thereafter be operated in accordance with the approved Travel Plan.

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

4. The development hereby permitted shall operate in accordance with the Service Management Plan stamped received by Belfast City Council 27th January 2017.

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

5. The development hereby permitted shall not occupied until space has been laid out within the site in accordance with the approved plans for vehicles to park. The parking area shall be used and retained exclusively for its designated purpose.

Reason: To ensure sufficient on-site parking.

6. Prior to the occupation of the development hereby permitted, the cycle parking and any associated facilities shown on the approved plans shall be fully implemented and made available for use. The cycle parking and any associated facilities shall thereafter be retained for use by the occupants of and visitors to the development at all times.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

7. Prior to the occupation of the development hereby permitted, the footpath shall be installed along the rear of the site at Donegall Square Mews in accordance with the approved plans.

Reason: In the interests of highway safety.

8. The rating level (dB Lar) of sound from all external mounted plant, equipment and building services plant associated with the proposal shall not exceed the background sound level (for both daytime and night time) at the nearest sound sensitive premises when measured in accordance with assessment methodology outlined in BS4142:2014-Methods for rating sound and assessing industrial and commercial sound.

Reason: Protection of residential amenity.

9. 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 Local Planning Authority. 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.

10. 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.

11. No development shall commence until the applicant has submitted evidence in writing to the Local Planning Authority for agreement demonstrating that risks to groundwater and other environmental receptors due to on-site contamination of have been effectively assessed.

This evidence should include:

- Site investigation and groundwater quality monitoring data.
- Quantitative risk assessment and, if necessary, provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to receptors.

If unacceptable risks to receptors are identified a remediation strategy will be required to address those risks.

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

12. The development hereby permitted shall not commence until a detailed remediation strategy to address all unacceptable risks to environmental receptors identified from Condition 11 has been submitted in writing and agreed with the Planning Authority. This strategy should identify all unacceptable risks on the site, the remedial objectives / criteria and the measures that are proposed to mitigate them. The strategy should include maps / plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring programme etc.

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

13. The development hereby permitted shall not be occupied until the remedial measures as detailed in the remediation strategy submitted under Condition 12 have been implemented to the satisfaction of the Planning Authority. The Planning Authority must be given two weeks written notification prior to the commencement of remediation work.

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

14. No 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",

<http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environment-agency.gov.uk/scho0202bisw-e-e.pdf>.

In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Local Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

15. After completing any remediation works required under Conditions 11, 12, 13 and 14 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

	<p>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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>16. In the event that contamination not previously considered 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 the Local Planning Authority for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.</p> <p>Reason: Protection of human health.</p>
Neighbour Notification Checked	Yes

ANNEX	
Date Valid	8th February 2017
Date First Advertised	3rd March 2017
Date Last Advertised	16th June 2017
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Donegall Square South, Town Parks, Belfast, Antrim, BT1 5LR, The Owner/Occupier, 1-3 Donegall Square South, Town Parks, Belfast, Antrim, BT1 5LR The Owner/Occupier, 4-10 The Cecil Ward Building, Linenhall Street, Town Parks, Belfast, Antrim, BT2 8BP, Andrew Heasley 409, Lisburn Road, Belfast, Malone Lower, Antrim, Northern Ireland, BT9 7EW Andrew Heasley 409, Lisburn Road, Belfast, Malone Lower, Antrim, Northern Ireland, BT9 7EW The Owner/Occupier, 5 Donegall Square South, Town Parks, Belfast, Antrim, BT1 5JP, The Owner/Occupier, 6-9 Donegall Square South, Belfast, BT1 5LR The Owner/Occupier, 9-21 Clarendon House, Adelaide Street, Town Parks, Belfast, Antrim, BT2 8DJ,	
Date of Last Neighbour Notification	2nd June 2017
Date of EIA Determination	Not Required
ES Requested	No
Drawing Numbers and Title 01A – Site location plan 03 – Proposed basement plan 04 – Proposed lower ground floor plan 05 – Proposed ground floor plan 06 – Proposed first floor plan 07 – Proposed typical floor plan (2 nd – 5 th floor) 08 - Proposed typical floor plan (6 th – 7 th floor) 09A – Proposed eighth floor 11A – Roof plan 12A – Donegall Square South elevation 13A – Donegall Square Mews elevation 14A – Section AA 15A – Section BB 16A – Section CC	
Notification to Department (if relevant) Associated DCA to be notified.	
Representations for Elected Members None	