

## Development Management Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date: 13 February 2018</b>	
<b>Application ID:</b> LA04/2017/1489/F	
<p><b>Proposal:</b> Proposed ground excavations from a 'Borrow Pit' (overall dimensions approximately 170-200m length, 22-50m width, 6m depth) to provide 30,000m<sup>3</sup> of clean natural clay soils capping material for use within remediation capping layers and associated Remedial Strategy for the approved Mixed Use Residential and Commercial Development (granted permission under Ref Z/2013/1434/F). Ground excavations to be undertaken in a phased and progressive approach from south to north to limit the size of the exposed excavated area at any one time with resulting 'Borrow Pit' void backfilled with existing made ground material comprising of sandy gravelly clay with angular gravel (hard-core) and also including sporadic asbestos cement fragments (typically less than 5cm in size and equating to approximately 0.015% of the made ground mass) from within the development site and covered with a remediation capping layer in line with remedial strategy.</p>	<p><b>Location:</b> Lands at Former Visteon Factory, Blacks Road, Belfast.</p>
<b>Referral Route:</b> Variation to Remediation Strategy related to Major Application	
<b>Recommendation:</b> Approval	
<p><b>Applicant Name and Address:</b> Radius Housing 3 Redburn Square Holywood BT18 9HZ</p>	<p><b>Agent Name and Address:</b> TSA Planning 29 Linenhall Street Belfast BT2 8AB</p>
<p><b>Executive Summary:</b> Full application seeking planning permission for ground excavations from a 'Borrow Pit' (overall dimensions approximately 170-200m length, 22-50m width, 6m depth) to provide clean soils for use within remediation capping layers and associated Remedial Strategy for the approved Mixed Use Residential and Commercial Development (granted permission under Ref Z/2013/1434/F). Ground excavations to be undertaken in a phased and progressive manner.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- The acceptability of a borrow pit at this location</li> <li>- Contamination and Environmental Impact</li> <li>- Impact on Road Network</li> <li>- Impact on Protected Sites</li> <li>- Impact on Amenity</li> <li>- Flooding</li> </ul> <p>The site is located within the development limits of the Belfast Metropolitan Area.</p> <p>The proposed borrow pit will provide clean material to be used in a capping layer as part of a wider remediation strategy to help facilitate the redevelopment of the former Ford Visteon site, in accordance with previous approval for a mixed use scheme (Z/2013/1434/F – Approved January 2016). As part of this remediation process the contaminated soils present on the site will be</p>	

removed in a controlled manner with a small percentage placed within the pit.

The proposal has been assessed against the following Policies – Strategic Planning Policy for Northern Ireland, Planning Policy Statement 2 – ‘Natural Heritage’, Planning Policy Statement 3 - Access Movement and Parking and Planning Policy Statement 11 – ‘Planning and Waste Management’.

NIEA Natural Heritage, Health and Safety Executive for Northern Ireland, Rivers Agency, DETI Geological Survey and Shared Environmental Services have offered no objections to the proposal.

DFI Roads has no objections to the proposal given the reduction in the number of two-way construction vehicle journeys and have recommended approval subject to conditions.

Environmental Health and NIEA have no objections subject to a number of planning conditions to ensure appropriate implementation of works and on-going monitoring.

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

There has been no representations received from members of the public.

Meetings have been held with two elected members.

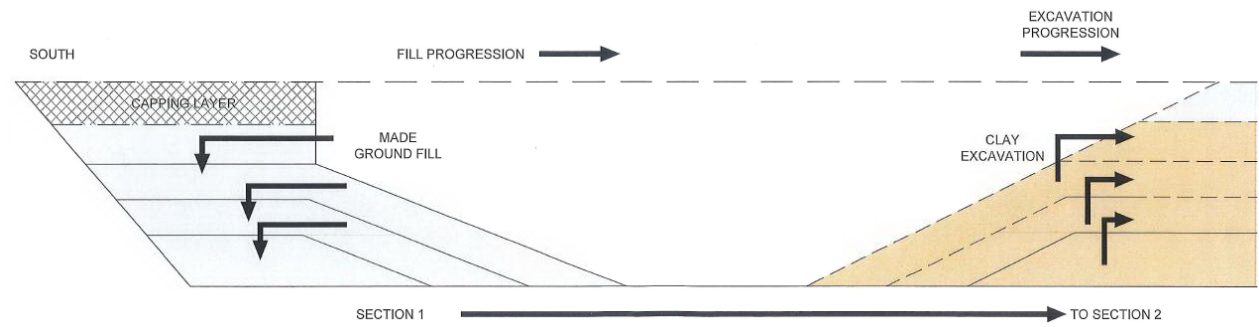
**Recommendation**

Approve subject to conditions set out in the case officer report.

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

# Case Officer Report

## Site Location Plan



<p>1.0 1.1  1.2  1.3  1.4  1.5</p>	<p>Description of Proposed Development</p> <p>Ground will be excavated from a 'Borrow Pit' (overall dimensions approximately 170-200m length, 22-50m width, 6m depth) to provide 30,000m<sup>3</sup> of clean natural clay soils capping material for use within remediation capping layers and associated Remedial Strategy for the approved Mixed Use Residential and Commercial Development (granted permission under Ref Z/2013/1434/F).</p> <p>Made ground (including contaminated soils) will be removed from the borrow pit in phases, temporarily stockpiled on the site, and covered to prevent any asbestos release to the air. Following removal of the made ground, the natural soils will be excavated (within the extent of the red line) and temporarily stockpiled for reuse within capping layers and general fill. Following the excavation of clean subsoils any made ground (minus all visual asbestos fragments) shall be deposited in the pit. A capping layer of clean soil shall be placed on the fill material as soon as reasonably possible. This phased and progressive approach is diagrammatically illustrated on the cross section above.</p> <p>Further to the placement of made ground into the borrow pit a capping layer, formed by site won materials, of at least 1.5m will cover the made ground which will include a puncture resistant warning marker membrane. The upper surface of the capping layer will comprise of 200mm of subsoil and 200mm of topsoil. The side of the borrow pit will be sloped at an angle of approximately 45 degrees.</p> <p>Excavation and infilling will occur in phases from south to north i.e. the area of the borrow pit will not be excavated or infilled in its entirety.</p> <p>The excavation/ infilling will occur as follows:</p> <ul style="list-style-type: none"> <li>- Made ground excavated from borrow pit and stock-piled within application site (as indicated by red line on site location map above)</li> <li>- Clean soils stockpiled on 'approved residential' part of site</li> <li>- Stockpiled made ground placed into void</li> <li>- Capping layer added to borrow pit</li> </ul>
<p>2.0 2.1  2.2  2.3</p>	<p>Description of Site</p> <p>Substantial brownfield site. Crushed concrete from the demolition of the Former Ford Visteon factory is present on the surface of the site, and has been laid in 300-400mm deep haul-roads, across the former footprint of the building.</p> <p>The proposed borrow pit is located in the eastern part of the site. The south-eastern corner of the former Ford Visteon factory was previously located on the application site, as shown on the site location map above. The building has now been demolished and the site cleared. The site is relatively flat throughout with the footprint of the original building and the area of hard standing which provided the car park still evident. There are two established access roads leading to the wider site, one from Finaghy Road North to the east, running parallel to the eastern boundary of the proposed borrow pit, and one from Blacks Road to the west, running parallel and adjacent to the Mayfield development.</p> <p>The site is located within the development limits of Belfast as designated in both the Belfast Urban Area Plan and the proposed Draft Belfast Metropolitan Area Plan. The site is zoned as existing employment/ industry (BT11/29) in the draft area plan and south of zoning BT102/19 (Ladybrook SLNCI).</p>
<p>Planning Assessment of Policy and other Material Considerations</p>	
<p>3.0</p>	<p>Planning History</p>
<p>3.1</p>	<p>Z/2008/0803/RM - Proposed mixed use residential (210 No. residential units) and class</p>

	B business park development (3,345 sq m) (approved 17th September 2009).
3.2	Z/2006/2339/O - Proposed mixed use residential and business park development (approved 28th August 2007)
3.3	Z/2013/1434/F - Demolition of existing buildings and proposed comprehensive mixed-use development comprising 244no social and private/affordable residential units (with access from Black's Road), with associated public open space/linear park. Non-residential element to include community centre and class B business units (class B1b/B1c/B2 uses) with associated parking and access from Finaghy Road North. (approved 8th January 2016)
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 11 – Planning and Waste Management Planning Policy Statement 15 - (Revised) Planning and Flood Risk
5.0	Statutory Consultees DFI Roads – No objection subject to conditions Rivers Agency – No objection DFC Historic Monuments Unit – No objection DAERA NIEA Waste Management Unit – No objection subject to conditions Health and Safety Executive for Northern Ireland – No Comment DETI Geological Survey – No objection DoF CPD Structural Engineering – No objection NI Water – No objection Shared Environmental Services – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions
7.0	Representations – None received
8.0	Other Material Considerations <ul style="list-style-type: none"> <li>• Former Visteon Factory Site, Belfast. Feasibility Report: Borrow Pit Investigation and Assessment. September 2016. Fold Housing Association. Former Visteon Factory, Blacks Road, Belfast;</li> <li>• Updated Generic and Detailed Quantitative Risk Assessment, Detailed Remedial Strategy October 2016;</li> <li>• Former Visteon Factory, Blacks Road, Belfast. Updated Remedial Strategy A082867. March 2017 with a Remedial Implementation Plan supplied by Fortitude Environmental; and</li> <li>• Correspondence dated 8<sup>th</sup> November 2017. WYG. Clarification to Environmental Health Queries raised at meeting held at Belfast City Council on 26/10/17.</li> </ul>
9.0	Assessment
9.1	The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- The acceptability of a borrow pit at this location</li> <li>- Contamination and Environmental Impact</li> <li>- Impact on Road Network</li> <li>- Impact on Protected Sites</li> <li>- Impact on Amenity</li> <li>- Flooding</li> </ul>
9.2	<b>The acceptability of a borrow pit at this location</b> Following the recent Court of Appeal decision on BMAP, the extant development plan is

	<p>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>
9.3	<p>The site is located within the development limits of Belfast as designated in both the Belfast Urban Area Plan and draft Belfast Metropolitan Area Plan (dBMAP). The site is zoned as existing employment/ industry (BT11/29) in dBMAP.</p>
9.4	<p>It is useful to start by outlining the reason why a borrow pit has been proposed at this location. A mixed use scheme was previously approved on the site in January 2016, subsequently a remediation strategy has been proposed to ensure the site is made suitable for the approved end use. As part of the overall remediation strategy this proposed borrow pit has emerged as a sustainable solution to providing a capping layer for the site and also providing a pit within which made ground from the surface of the site can be deposited. Clean soils shall be excavated to be used to provide a capping layer and as general fill for the site and contaminated made ground which currently exists on the site shall in turn be deposited into the resulting void. This will, in theory, provide a layer of uncontaminated material on the surface of the site which will sever any pollutant linkages, and prevent contact between human receptors and contaminated soil.</p>
9.5	<p>The rationale for choosing the location of the borrow pit was based on evidence of trial investigations. The area was considered to be low risk in terms of potential on site contamination sources as determined by the previous land contamination investigations and risk assessments and a lower receptor sensitivity in terms of the overall Visteon redevelopment site.</p>
9.6	<p>There are no physical structures or means of retention proposed to facilitate the creation of the borrow pit. Borrow pit excavation and infilling will be phased, the entire area of the borrow pit will not be excavated/ infilled in its entirety. This phased approach will reduce the scale of the soil mounds on the site at any one time and thus minimise any potential visual impact while also helping maintain overall ground stability within and adjacent to the borrow pit.</p>
	<p><b>Contamination and Environmental Impact</b></p>
9.7	<p>It is important to note that potential environmental impacts exist across the entire site at present (the site subject of the most recent mixed use planning approval). In terms of the proposed borrow pit, the works will ultimately play a part in the delivery of the wider remediation strategy which was conditioned as part of the latest approval on the site (Z/2013/1434/F).</p>
9.8	<p>Of the made ground being placed in the borrow pit, a small percentage will contain asbestos. However only made ground with contaminant concentrations less than the remedial criteria for a residential capping layer will be placed in the borrow pit. Verification will take place prior to any soil movements to ensure this. This will also ensure there will be no significant risks to end site users, surrounding residents and environmental receptors.</p>
9.9	<p>To minimise disruption in the deeper groundwater levels close to the Sherwood Sandstone aquifer a minimum depth of 5m of glacial till will remain between the base of the borrow pit and the top of the aquifer. This will prevent downward water movements and the risk of contamination of the aquifer. The contractor will be responsible for ensuring the stability of the borrow pit and preventing deterioration of the materials and cross contamination during excavation and infill. Any contaminated made ground that</p>

	will be placed into the borrow pit will be subject to satisfactory verification, sampling and testing, as outlined above in 9.8.
9.10	All temporary stockpiles (of made ground) will be constructed and located to prevent cross contamination. Any temporary stockpiles containing asbestos will be covered to prevent the release of fibres and will be dampened down to in order to mitigate any risk of fibres becoming airborne. All visual asbestos fragments will be hand-picked as excavation works proceed and stored in marked bags in a secure area. All other made ground materials will be placed directly into the borrow pit and capped.
9.11	Environmental Health Service has reviewed the reports and documents submitted as part of the application and is content that all unacceptable risks to human health associated with the borrow pit development have been appropriately identified and characterised. Environmental Health is also content that the proposed mitigation measures, detailed within the various remediation strategies and supporting documents are appropriate to safeguard human health.
9.12	Environmental Health Service have requested that should planning permission be granted the conditions detailed below at 11.2-11.4 are attached to any decision notice.
9.13	The priorities of DAERA's Regulation Unit Land and Groundwater Team in assessing this proposal were to consider the potential for contamination to be present at the site that could impact on environmentally sensitive receptors including groundwater and surface water. They have requested that should planning permission be granted that conditions detailed below at 11.5 – 11.9 are attached to any decision notice.
9.14	White Young Green's (WYG) clarifications to NIEA's advice to Planning dated 7 <sup>th</sup> August 2017 was provided for comment, in support of the application. Each of these points will be addressed below (9.13-9.20 inclusive):
9.15	NIEA has noted the details of the location and quantities of Asbestos Containing Materials (ACM) to be deposited within the Borrow Pit. Investigations identified asbestos across the site area predominantly associated with the area under the floor slab of the former factory. The predominant occurrence of visible asbestos was identified across the floor slab becoming detectable only as fibres towards the periphery of the slab.
9.16	WYG have confirmed that made ground with free product from the highly contaminated areas will be removed off site and that only made ground with no free product that also meets the agreed remediation criteria in the WYG, Updated Remedial Strategy, Reference A082867 dated March 2017 will be deposited in the Borrow Pit.
9.18	NIEA have requested that any planning decision, should approval be forthcoming, is conditioned to provide a hydrogeological risk assessment to demonstrate no future risks to the water receptors from the infill within the Borrow Pit. This assessment will need to be supported by site groundwater and surface water monitoring that interfaces with the wider site monitoring programme under Application Z/2013/1434/F. A condition is recommended below at 11.8 to ensure the collection of this data.
9.19	With regard to a Work Plan for the management of site won ACMs NIEA has requested that any planning decision is conditioned to provide a Working Plan and timetable for the Borrow Pit that clearly presents the management of site-won ACMs in alignment with Industry Guidance published by CLAIRE (2016) entitled " <i>Control of Asbestos Regulations 2012 – Interpretation for Managing and Working with asbestos in Soil and Construction and Demolition Materials</i> ".

9.20	<p>The Plan would include details of the work and the actions to control risk and prevent harm along with the following details:</p> <ul style="list-style-type: none"> <li>- nature and expected duration of the work</li> <li>- number of persons involved</li> <li>- address and location of where work is to carried out</li> <li>- method for hand picking asbestos</li> <li>- stockpile management</li> <li>- methods use to prevent, control and reduce exposure to asbestos</li> <li>- air monitoring</li> <li>- arrangement for disposal of asbestos waste</li> <li>- type of equipment including personal protective equipment</li> <li>- proposed borrow pit must be supported by a suitable monitoring programme to ensure the infill is restricted to homogenous materials with less than 0.1% of asbestos</li> <li>- A timetable to support NIEA's site inspection programme.</li> </ul>
9.21	<p>Clarifications are noted of the timeline for groundwater remediation (under Z/2013/1434/F) and its interface with the management of the proposed Borrow Pit, including groundwater remediation on the western boundary of the proposed Borrow Pit. Groundwater remediation will be undertaken prior to any works in the areas affected by free-phase contamination. This includes any works associated with the proposed borrow pit. These works shall be verified prior to any excavations works. Water quality monitoring will take place prior to and during the deposition of made ground within the borrow pit.</p>
9.22	<p>As the proposed development works will be undertaken in a phased manner, similarly verification reports will be provided in phases. This will feed into the capping and monitoring across the wider site.</p>
9.23	<p>Groundwater monitoring boreholes will be installed around the perimeter of the borrow pit and will extend at least 1m below the base. Monthly sampling will occur during excavation and infilling phases.</p>
9.24	<p>In terms of the borrow pit construction a membrane will be placed on top of the fill material. This will act as a high visibility marker, to provide a warning that fill material is present below.</p>
9.25	<p>It is worth noting that any future development in the vicinity of the Borrow Pit under application Z/2013/1434/F will need to be supported by a Piling Risk Assessment. Given the significant infilling within the borrow pit area, this piling risk assessment will need to be further updated prior to development of the borrow pit itself. It is important to note that future piling in the Borrow Pit area may create pathways into the deep aquifer or allow ground gases or other contaminants to migrate. 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".</p>
9.26	<p>It is important to note that the site is currently contaminated and the proposed works form part of the wider remediation strategy to 'clean' the site and make it suitable for the approved end-uses.</p>
9.27	<p><b>Impact On Protected Sites</b> The potential impact of this proposal on Special Protection Areas, Special Areas of Conservation and Ramsar sites has been assessed in accordance with the</p>



	<p>requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). The proposal would not be likely to have a significant effect on the features of any European site.</p>
9.28	<p><b>Impact on Road Network</b>  A response to DFI Roads issues, submitted by RPS, has confirmed that the proposed development will ultimately reduce the number of two-way construction vehicle trips by an estimated 3,750. This is obviously a more sustainable solution than exporting the soil/ made ground from the site and importing clean soils onto the site.  DFI Roads have recommended that the conditions detailed below at 11.10 and 11.11 are attached to any decision should the proposal be approved.</p>
9.29	<p><b>Impact on Amenity</b>  The proposed borrow pit is located on the eastern boundary of the site and arguably as far from any residential property as reasonably possible within the former Ford Visteon site (as approved for mixed use development).</p>
9.30	<p>No objections have been raised by Environmental Health Service with regard to noise or air quality. The area of the proposed borrow pit is located approximately 50m from the closest residential property to the east (located to the other side of the motorway which in itself is a significant source of noise), and approximately 150m from the closest dwelling to the west in Mayfield Square. Given these separation distance and existing background noise levels the proposal is not likely to have any major impact on the nearest residential receptors, in terms of noise/ general disturbance.</p>
9.31	<p>The substantial reduction in the number of vehicle trips to and from the site will also significantly reduce the levels of noise and disturbance experienced by nearby residential properties.</p>
9.32	<p>As stated above the excavation and infilling will be phased, with the temporary stockpiles of made ground covered and dampened down to prevent the release of asbestos fibres.</p>
9.33	<p><b>Flooding</b>  There are no watercourses which are designated under the terms of the Drainage (Northern Ireland) Order 1973 within this site. The Flood Hazard Map (NI) indicates that the development does not lie within the 1 in 100 year fluvial or 1 in 200 year coastal flood plain.</p>
10.0	<p>Summary of Recommendation: Approval</p>
10.1	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.</p>
10.2	<p>The proposed Borrow Pit forms part of a wider remediation strategy which will ultimately make the site suitable for the previously approved mixed use development. It is also represents a sustainable approach to sourcing clean soil for the capping layer. Contamination which exists on the surface of the site at present will be removed from the site in a controlled manner with the small remainder buried in the proposed pit.</p>
10.3	<p>It has been confirmed that all made ground with free product from the highly contaminated areas will be removed off site and that only made ground with no free product that meets specific agreed remediation criteria will be deposited in the Borrow Pit.</p>
10.4	<p>The proposed works avoid exporting the existing made ground and importing fresh soil</p>

	onto the site. This approach will dramatically reduce the amount of construction traffic moving to and from the site.
10.5	Extensive verification and continual monitoring is proposed and will be conditioned to demonstrate that all works are completed to agreed specifications.
11.0	<b>Conditions</b>
11.1	As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.  Reason: Time Limit
11.2	The Borrow Pit shall be constructed according to the designs set out in the reports entitled Former Visteon Factory Site, Belfast. Feasibility Report: Borrow Pit Investigation and Assessment. (September 2016) and Former Visteon Factory, Blacks Road, Belfast. Updated Remedial Strategy. A082867 (March 2017) with a Remedial Implementation Plan supplied by Fortitude Environmental. Should the remediation methods be changed or modified, the Council must be informed in writing in advance for approval.  Reason: protection of human health.
11.3	Upon completion of the proposed Borrow Pit and prior to commencement of the proposed commercial development at the location of the borrow pit, a verification report, demonstrating that the borrow pit has been successfully completed in accordance with the provisions of the following reports: Former Visteon Factory Site, Belfast. Feasibility Report: Borrow Pit Investigation and Assessment. September 2016, and Former Visteon Factory, Blacks Road, Belfast. Updated Remedial Strategy A082867 (March 2017) with a Remedial Implementation Plan supplied by Fortitude Environmental, shall be submitted to the Belfast Planning Service for approval.  Reason: protection of human health.
11.4	The construction of the borrow pit must be verified with photographs, as built topographical survey evidence, scaled cross section diagrams, laboratory analytical reports, materials management reports and any other records relevant to the verification.  Reason: protection of human health.
11.5	The development hereby permitted shall not be initiated until a Borrow Pit working plan and supporting timetable of works has been agreed with the Planning Authority. This Work Plan must be prepared by a suitably competent person and submitted to the Planning Authority for its agreement before any site work with Asbestos Containing Materials is carried out. The Plan should include details of the work and the actions to control all risks and manage all materials including waste materials for disposal. The Borrow Pit infill materials shall contain no more than 0.1% asbestos containing materials.  Reason: Protection of environmental receptors to ensure the site is suitable for use.
11.6	The development hereby permitted shall not be occupied until the remediation measures relevant to the Borrow Pit as described in the WYG Remediation Strategy (A082867) dated March 2017, have been implemented to the satisfaction of the Planning Authority. The Planning Authority must be given 2 weeks written notification prior to the commencement of remediation work.

<p>11.7</p>	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>After completing the remediation works under Conditions 5 and 6 and prior to any development of the Borrow Pit area, a verification report will 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) and the Industry Guidance published by CLAIRE 2016. 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 agreed remedial objectives as presented in WYG Remediation Strategy (A082867) dated March 2017.</p>
<p>11.8</p>	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>On completion of the Borrow Pit and prior to any further development of this area, a hydrogeological risk assessment will be presented in writing and agreed with the Planning Authority. This risk assessment should present a site specific hydrogeological risk assessment that fully considers the nature of the Borrow Pit infill, the environmental receptors and new site groundwater and surface water monitoring data.</p>
<p>11.9</p>	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>Prior to commencement of the proposed development, the Planning Authority shall receive in writing for agreement a groundwater and surface water monitoring programme for the Borrow Pit area. This monitoring should be part of the wider site monitoring programme under Application Z/2013/1434/F. This programme shall detail the monitoring points, sampling and analytical programme, monitoring frequency and programme pre, during and post development. This monitoring programme will complete when there are demonstrable no impacts to water receptors.</p>
<p>11.10</p>	<p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>The development hereby permitted shall not become operational until effective vehicle wheel washing facilities have been installed and brought into operation for the lifetime of the development hereby approved.</p>
<p>11.11</p>	<p>Reason: To prevent the carry-over of mud or debris onto the public road in the interests of road safety and convenience.</p> <p>The development hereby permitted shall not become operational until a Service Management Plan has been submitted to, and approved, by the Department.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p><b>Informatives</b>          Belfast City Council should consult with the Northern Ireland Environment Agency on any future new developments proposed within the boundary of the former Ford Visteon site. Any new development at, or in the vicinity of, the Burrow Pit will need to be supported by a piling risk assessment. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at <a href="http://publications.environmentagency.gov.uk/PDF/SCHO0501BITTE-E.pdf">http://publications.environmentagency.gov.uk/PDF/SCHO0501BITTE-E.pdf</a>.</p>

Certain types of work with asbestos in soils and construction and demolition (C&D) materials can only be done by those who have been issued with a licence by HSENI. This is work which meets the definition of 'licensed work with asbestos' in Regulation 2(1) of the Control of Asbestos Regulations (Northern Ireland) (2012) (the Regulations). These Regulations can be viewed at: <http://www.coralenvironmental.com/wp-content/uploads/The-Control-of-Asbestos-Regulations-NI-2012.pdf>.

The Regulations and the accompanying Approved Code of Practice and guidance (The Control of Asbestos Regulations 2012: Managing and working with asbestos (L143)) apply to all work with asbestos, including managing the risks related to exposure to asbestos from work with asbestos contaminated soil or C&D materials in addition to CL:AIRE's Industry

Guidance entitled: Control of Asbestos Regulations 2012, Interpretation for managing and working with asbestos in soils and C&D materials 2016 that can be viewed at: <https://www.claire.co.uk/projects-and-initiatives/asbestos-in-soil>.

All works associated with asbestos contaminated land must be carried out by competent persons so that the site reports can be relied upon and works completed in compliance with the Regulations and in a manner likely to be minimise consequential risks.

Prior to disposing waste materials to a suitable facility, waste classification needs to be completed of the materials either in-situ or of excavated materials in accordance with the EWC codes. Details of this classification can be found in Waste Management Paper No 3 at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/427077/LIT\\_10121.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427077/LIT_10121.pdf).

Should the materials be classified as Hazardous waste then this material will need to be consigned off site as hazardous waste. NIEA should receive the waste consignment notices 72 hours in advance of any movements off site and waste materials moved off site only by a registered carrier (i.e. ROC permitted).

Also, if the material is hazardous, it should be WAC tested to determine a suitable landfill for disposal. Note there are no landfills in Northern Ireland licensed to take non-asbestos hazardous wastes, so this material would need to be disposed at a suitable site in England or Scotland.

The approval does not empower anyone to build or erect any structure, wall or fence or encroach in any other manner on a public roadway (including a footway and verge) or on any other land owned or managed by the Department for Infrastructure for which separate permissions and arrangements are required.

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.

All construction plant and materials shall be stored off the adopted road.

It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.

12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member Two meetings and status updates with Cllr T. Atwood and Cllr B. Heading
Neighbour Notification Checked	
Yes	

<b>ANNEX</b>	
<b>Date Valid</b>	30th June 2017
<b>Date First Advertised</b>	14th July 2017
<b>Date Last Advertised</b>	14th July 2017
<b>Neighbour Notification - Yes</b>	
<b>Date of Last Neighbour Notification</b>	7th July 2017
<b>Date of EIA Determination</b>	4th October 2017
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b> 01 Site Location 03 Site Plan 04 Location of Borrow Pit 05 Location of Borrow Pit in relation to approved development 06 – 15 Borrow Pit Cross Sections 16 Indicative excavation/ fill sequence 17 Section showing Excavation/ progression	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	