

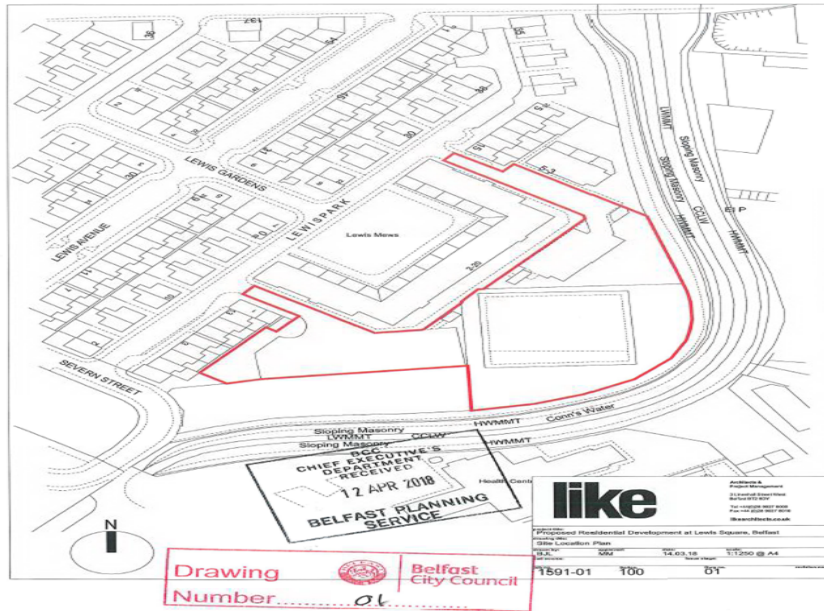
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 October 2018	
Application ID: LA04/2018/0916/F	
Proposal: 45 Apartments within 3 three storey buildings including access, parking, cycle bays, open space, landscaping and associated site works	Location: Land adjacent to East of 1-13 Lewis Park and 2-20 Lewis Mews Belfast BT4 1FY
Referral Route: Third Party representations received that contradict case officer's recommendation.	
Recommendation:	
Applicant Name and Address: Windsor Developments Ltd 6 Saintfield Road Lisburn BT27 5BD	Agent Name and Address: TSA Planning Ltd 20 May Street Belfast BT1 4NL
Executive Summary: <p>Planning permission is sought for the erection of 3no. apartment blocks comprising of 45 no. 2 bedroom apartments, including communal circulation & ancillary areas along with associated site works, car parking, roads and landscaping.</p> <p>The site has an area of 0.73ha and is located within the development limits for Belfast in both the Belfast Urban Area Plan 2001 (BUAP); and the draft Belfast Metropolitan Plan 2015 (BMAP). The site is unzoned whiteland in the BUAP. The majority of the site is zoned for housing in draft BMAP, with the exception of a wedge approx. 700sq.m to south of the site which is whiteland.</p> <p>The main issues to be considered in this case are;</p> <ul style="list-style-type: none"> - The principle of the proposal at this location; - The impact of the development on the character and appearance of the surrounding area; - The impact on traffic and parking; - Loss of open space; and - Third party representations. <p>The principle of the proposal is acceptable on the basis that the site is within the development limits in both the extant and draft plans and is either unzoned (within BUAP) or zoned for housing (within dBMAP).</p> <p>The impact on the character of the surrounding area is considered to be acceptable. In respect of the impact on parking and traffic, DfI Roads are content. The loss of open space is considered acceptable due to the zoning of the site for housing within draft BMAP.</p> <p>Concerns raised by third party representations include parking issues and disruption during the construction phases are addressed in the assessment below.</p>	

Recommendation
Approve subject to Conditions

Case Officer Report

Site Location Plan



Representations:

Letters of Support	1
Letters of Objection	7
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>The erection of 45 apartments within 3 blocks, each three a storey building including access, parking, cycle bays, open space, landscaping and associated site works.</p>
2.0	<p>Description of Site</p> <p>The application site is a vacant plot of land (0.73ha) that is currently fenced off by a 2.5m high steel wire mesh fence. The site is relatively flat and bounded by a residential development of apartments and dwellings to the west and north-west at Lewis Mews and Lewis Park respectively. The Connswater River and greenway meander the south, east and north-east boundaries of the site. Beyond the river lies a health centre and a residential area at Parkgate Avenue and Parkgate Place. The last known use of the site was as a bowling green complete with a pavilion building.</p>

Planning Assessment of Policy and other Material Considerations

3.0	<p>Site History</p> <p>Z/2001/1863/F - Severn Street, Connswater, Belfast, BT4 1FF. Demolition of existing buildings, and redevelopment as residential for 247 houses and apartments, with associated parking and landscaping, and retaining existing Bowling Green. Granted 10/04/2002.</p>
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	Z/2003/0632/F - Severn Street, Connswater, Belfast, BT4 1FF. Amendments to plans and elevations of apartments including associated landscaping and car parking to previously approved application Z/2001/1863/F. Granted 26/08/2003.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft Belfast Metropolitan Area Plan 2015
4.2	Strategic Planning Policy Statement for NI (SPPS); Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation Planning Policy Statement 7 – Quality Residential Environments Planning Policy Statement 3 - PPS3: Access, Movement and Parking Addendum to Planning Policy Statement 7 – Safeguarding the Character of Established Residential Areas Planning Policy Statement 12 – Housing in Settlements Revised Planning Policy Statement 15 – Planning and Flood Risk Creating Places Development Control Advice Note 8 – Housing in Existing Urban Areas
5.0	Consultations:
5.1	The following bodies were consulted as part of the processing of this application: DfI Roads; NI Water; NIEA Natural Heritage; Rivers Agency; Historic Environment Division; Shared Environmental Services; Northern Ireland Electricity (NIE); Belfast City Airport; and Belfast City Council Environmental Health. NIE did not respond. The rest have no objections in principle to the proposal.
6.0	Representations: Seven third written representations have been received from 4 third parties. One of these was later withdrawn. All object to the proposal. The following concerns have been raised: <ol style="list-style-type: none"> 1. Developer fenced off green / grass areas associated with Lewis mews apartments without consultation with residents in 2017; 2. Proposal will utilise existing access and car parking areas for Lewis Mews, causing detriment to the operation of current facilities; 3. Sharing of car parking facilitates will create management/maintenance disputes; this will be detrimental to existing residents, even if resolved as there is likely to be other implications e.g. time and financial; 4. Disruption during the construction phase, especially in respect of car parking; 5. Anti-social behaviour as a result of the removal of the existing boundary fence; 6. Two of the existing bin stores for Lewis Mews have been omitted to facilitate the proposed plans; 7. A physical separation in the form of a barrier / wall / fence is required between the two developments to mitigate problems such as car parking; 8. The ground on the site is 'very soft, soaked, damp, and the founding insufficient' for development; and

	<p>9. Foundations of existing development are insufficient and will be damaged by the construction of the new development.</p> <p>In respect of Point 1 - a landowner can carry out preparatory works to land without the requirement for planning permission. Works are carried out at the risk of the developer. Point 6, the removal by a private developer of a bin store, is a private civil matter between the residents of Lewis Mews and the developer.</p> <p>Points 2, 3 and 7 are planning matters and are addressed in the report below.</p> <p>Point 4 – Amenity during construction will be addressed through a Construction Management Plan which will be conditioned</p> <p>Points 8 & 9 – Ground conditions and ensuring no damage to private property is a matter for the developer to ensure.</p>
<p>7.0</p> <p>7.1</p> <p>7.2</p> <p>7.3</p> <p>7.4</p> <p>7.5</p> <p>7.6</p>	<p>Constraints: In the BUAP the site is unzoned, whiteland. In draft BMAP the site forms part of a larger committed housing zone (EB 02/37), with the exception of a wedge of approx. 700sq.m to south the south corner which is unzoned, whiteland and originally open space. This zoning is committed and includes areas already developed for housing</p> <p>Key Issues: The key issues to assess are as follows:</p> <ul style="list-style-type: none"> • Principle of the proposed development at this location; • Density; • Design of the proposal; • Impact on amenity; and • Traffic and parking. <p>Principle of Development: Within the extant (BUAP) and draft (BMAP) area plans the application site is located within the development limit identified for Belfast.</p> <p>The majority of the site is zoned for housing in the draft plan whilst the remaining part is white land. There were no objections to this proposed zoning at the consultation stage of the plan and is likely that this zoning will be included in any future adopted version of BMAP.</p> <p>The site is currently fenced off and the land is vacant. The last known use of the site was, in part, a bowling green with an associated pavilion building. The remaining parts of the site included an area of open space planted with trees; and part of it is made up from the amenity space associated with the adjacent development at Lewis Mews as approved under ref. Z/2001/1863/F.</p> <p>The part of the site that was a bowling green was included within the description of planning permission ref. Z/2001/1863/F, is within the redline boundary of that permission and also on the landscaping plan. An amendment to this approval (ref. Z/2003/0632/F) does nothing to change this. However, there is a condition on both approvals that necessitates the landscaping to be carried out in accordance with the approved details prior to occupation but does not state that this is permanently retained.</p> <p>The agent argues that the proposal is an exception to Policy OS1 of PPS8 in that the majority of the site is zoned for housing in the draft plan (BMAP) and that this zoning is committed. They accept that the site was previously a bowling green but argue that this is not open space associated with the existing housing development adjacent to the site</p>

	and that the zoning of the site in the draft plan as a committed housing area has repurposed its future intended use.
7.7	<p>Density: The internal floorspace for each apartment is 60-65sqm approx. The number of units per hectare is approx. average for the area when the apartment blocks at Lewis Mews are taken into consideration. This adheres to Policy LC1 of APPS7.</p>
7.8	Planning Control Principle 1 promotes an increase in density of housing development in locations that benefit from high accessibility to public transport facilities. The area where this application site is located benefits from excellent accessibility to public transport facilities within walking Titanic Quarter, railway halt, bus links on the Newtownards Road into the city centre while the Connswater Greenway abuts the site which is a local cycle route linking to various other areas of the city including the docks.
7.9	<p>Form, Massing, Design & Materials The proposal consists of three by 3 storey blocks aligned to form a 1/3 circle. Each block is the same height and has a flat roof. The proposed form and massing is consistent with the overall built form of the area. There is a 4-storey apartment block at Lewis Mews directly opposite the site whilst there is 4 storey commercial building on the opposite side of the Connswater River. The finished materials consist of red brick to outer walls and zinc roof.</p>
7.10	The fenestration consists of a substantial amount of openings in the form of full length windows, doors, and balconies. The solid to void ratio is acceptable and the openings promote a good outlook towards the Conn's Water river. Whilst the fenestration of neighbouring buildings differs; this will not have any detrimental impact on the character and visual amenity of the area due to the eclectic nature of the local built environment.
7.11	The proposal is considered to be compatible with policies QD1 (a) and (g).
7.12	<p>Impact on Residential Amenity Creating Places advocates a separation distance of 20m approx. where new development abuts the rear of existing residential property. The distance from the front elevation to existing residential at Lewis Mews which is a 4 storey block of flats is 36m at its closest point. There are dwellings opposite the rear of the site at Parkgate Avenue and Parkgate Place on the opposite side of the Connswater River. Block B and C are directly opposite the rear of these dwellings at a distance of 30m approx. Side windows in the ends of Blocks A and C will be treated with opaque glass. At these distances overlooking, overshadowing and dominance will not be an issue. This is in compliance Policy QD1 (h).</p>
7.13	In terms of amenity for prospective residents, each unit has adequate outlook and external amenity areas. The accommodation proposed is in accordance / generally exceeds standards set out in the addendum to PPS7.
7.14	The proposal will result in the loss of existing amenity space at the adjacent Lewis Mews apartment complex. However, the proposal will reinstate this space; albeit reconfigured to shared /open with the new development. There is little inconvenience to existing and future residents anticipated in that this specific amenity space is communal and the amount of space is deemed sufficient to accommodate both developments.
7.15	<p>Bin Storage: Two separate areas for the storage of bins are proposed; one at either end of the development. These will enclosed / screened by 1.8m tall fencing.</p>

<p>7.16</p>	<p>Amenity and Open Space Each apartment has its own balcony / terrace of approx. 3sq.m per unit. Ground floor units have an additional 24-30sq.m of private open space in the form of front gardens. In addition, to this there is communal open space in the form of planted area. The average 10sqm open space provision per unit for apartment developments as advocated by Creating Places has been adhered to. The proposal complies with Criterion (c) of Policy QD 1 of PPS 7 and Creating Places in that adequate provision has been made for private open space. Policy OS 2 of PPS 8 has also been satisfied in that a reasonable level of private communal open space has been provided.</p>
<p>7.17</p>	<p>Landscaping: Planting is proposed in the form of beds in between car parking spaces planted with shrubs and trees. Lawns will be planted to the terraces of the ground floor units. Elsewhere, groups of trees will be planted to assist integration and soften the impact of the proposal. The level of proposed planting is to an acceptable standard.</p>
<p>7.18</p>	<p>Access and Parking: Car parking provision will utilise part of the existing car parking area currently used by Lewis Mews in addition to 48 new parking spaces, bring the total number of spaces between both developments to 119. The proposal will utilise the exiting access to the car park of Lewis Mews via Lewis Park. DfI Roads, which is the statutory body and consultee regarding road safety, traffic and parking and is content. The proposal is complies with PPS3, associated guidance, and criteria (f) of QD1.</p>
<p>7.19</p>	<p>One of the third party objectors suggested that a physical barrier is erected to demarcate the parking for the proposal from the existing apartments at Lewis Mews. However, in light of DfI's lack of objection to the amount of parking, and considering that the separation distance between the two opposing developments is not excessive it would be unrealistic to insist on any physical separation, especially as this would likely result in a detrimental impact on access and manoeuvrability of vehicles, necessitating in further access. This could be resolved by allocating specific spaces to each apartment but this is ultimately the responsibility of the developer / management company.</p>
<p>7.20</p>	<p>Consultations Environmental Health has no objection subject to Informatives, and the proposal will not result in an unacceptable impact in terms of noise, air quality, or related issues. NIEA have no objections in terms of impact on wildlife. Rivers Agency and NI Water have no objections based on the information provided. Belfast City Airport has no concerns. NIE did not respond.</p>
<p>7.0</p>	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to the following conditions:</p>
<p>8.0</p>	<p>Conditions:</p>
<p>1</p>	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p>

<p>2</p>	<p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>No apartment shall be occupied until weather protected cycle parking has been fully provided in accordance with the stamped approved drawing No. 03, bearing the date received stamp 12 April 2018. These facilities shall be permanently retained.</p>
<p>3</p>	<p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>Each dwelling shall not be occupied until a one year travel card has been offered free of charge to one of its owners.</p>
<p>4</p>	<p>Reason: To encourage alternative means of transport to the private car.</p> <p>No apartment shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with stamped approved drawing No. 18, bearing the Belfast Planning Service date stamp 19 April 2018. These facilities shall be permanently retained.</p>
<p>5</p>	<p>Reason: To ensure acceptable parking facilities on the site.</p> <p>The development shall operate in accordance with the Travel Plan dated by Belfast Planning Service 12 April 2018.</p>
<p>6</p>	<p>Reason: To encourage alternative means of transport to the private car</p> <p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p>
<p>7</p>	<p>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p> <p>Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.</p>
<p>8</p>	<p>Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.</p> <p>Prior to the occupation of any part of the development hereby approved, the bin storage areas shall be constructed in accordance with drawings No.03 and No. 05, bearing the date stamp 12 April 2018. These facilities shall be permanently retained.</p>

9	<p>Reason: In the interests of visual amenity and the character and appearance of the area.</p>
	<p>All proposed soft landscaping works shall be carried out in accordance with stamped approved drawing No. 20, bearing the Council's date stamp 12 April 2018. The works shall be carried out prior to the occupation of any part of the development or within the first planting season after occupation, unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.</p>
10	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
	<p>All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.</p>
11	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape</p>
	<p>The open space and amenity areas indicated on the stamped approved Drawing No. 20 date stamped 12 April 2018 shall be managed and maintained in accordance with the Park Hood Landscape Management and Maintenance Plan, received on 12 April 2018, and any changes or alterations to the approved landscape management arrangements shall be submitted to and agreed in writing by the Council.</p>
	<p>Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual and residential amenity.</p>
12	<p>Prior to commencement of works for the development hereby approved, a Construction Management Plan shall be submitted for review and approval by Belfast City Council. This Plan should outline the methods to be employed to minimise disruption of existing residents in respect of parking, noise, vibration and mud impact during the construction phase.</p> <p>Reason: To minimise disruption on nearby residents during the construction phase of the development hereby approved.</p>

9.0	Informatives
1	A buffer of at least 10m must be maintained between the location of all construction works including refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/ material/spoil etc. and the adjacent watercourse.
2	There shall be no direct discharge of untreated surface water run-off during the construction and operational phases in to the adjacent watercourse.
3	Storm drainage of the site, during construction and operational phases, must be designed to the principles of the Sustainable Drainage Systems (SuDS) in order to prevent the polluting effects of storm water on aquatic environments. Construction of SuDS should comply with the design and construction standards as set out in The SuDS Manual (C753).
4	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 Belfast Planning Service for approval. This investigation and risk assessment must be undertaken in accordance with current best practice. In the event of unacceptable risks being identified, a remediation strategy shall be agreed, and subsequently implemented and verified to the Councils satisfaction.
5	All construction plant and materials shall be stored within the curtilage of the site.
6	Any cranes etc. which are to be used in the construction require the contractor to complete a BCA Crane Permit application form (BCA/F/020 – available from safeguarding@bca.aero) a minimum of 6 weeks prior to commencement of works to allow time for assessment & notification to pilots, etc. Should such equipment extend upwards beyond 25m AGL in this area an IFP (Instrument Flight Procedures) assessment may also be required (at a cost to the crane operator / developer) and can take up to 3 months to process.
7	For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact: Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St Belfast, BT2 7EG Tel: 02890 823100 Quote reference: LA04/2018/0916/F
8	Application for the excavation licence, required under the <i>Historic Monuments and Archaeological Objects (NI) Order 1995</i> , should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to: Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St Belfast BT2 7EG

9	<p>Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of Rivers Agency. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27 5QB.</p>
10	<p>Public water supply within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.</p>
11	<p>Foul sewer within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.</p>
12	<p>The water requirements for your proposal may be eligible for the provision of a public watermain if it will serve more than 1 property (1 property if accessed directly from a public road / area) and each property will have an individual supply direct from the proposed public watermain under Article 76 of the above order.</p>
13	<p>The Developer must enter into an Agreement for Adoption of the Sewers under Article 161 of the above order. They must be designed to meet the criteria as set out in the current Sewers for Adoptions specification. A connection to the public sewer will not be permitted until such times as the Article 161 Agreement has been authorised by NIW.</p>
14	<p>No construction to be made, trees planted or other obstruction made within</p> <ul style="list-style-type: none"> • 3m (or 1.5 times the depth whichever is greater) of sewers, OR • 4m (or 1.5 times the depth whichever is greater) of watermains <350mm diameter or 8m of watermains of 350mm diameter or greater. <p>A diversion may be necessary. Consultation with NIW is required at an early design stage.</p>
15	<p>The applicant is advised to contact NIW Waterline on 03457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.</p>
16	<p>If during the course of developing 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 Waterline on 03458 770002.</p>
17	<p>Although it has been determined above if NIW infrastructure is within 20m of your proposal, consultation with NIW is required at an early design stage by means of a Predevelopment Enquiry to obtain details of the availability of</p>

	<p>existing water and sewerage infrastructure and how their proposal may be serviced if not already applied for.</p>
18	<p>Marine Licensing The applicant should be made aware that all construction or deposition works below the Mean High Water Spring Tide (MHWST) mark are subject to licensing under the Marine and Coastal Access Act 2009. If any elements of the construction in this proposal crosses the intertidal area below the MHWST mark, contact must be made with the Marine Licensing Team, DAERA Marine and Fisheries Division, 1st Floor, Klondyke Building, Gasworks Business Park, Cromac Avenue, Belfast BT7 2JA, Tel: 028 90569247 to apply for a Marine Construction Licence.</p>
19	<p>The applicant should be aware that it is an offence under the Marine and Coastal Access Act 2009 to carry out a licensable marine activity except in accordance with a marine licence granted by the DAERA Marine and Fisheries Division. Conviction of such an offence may incur a fine of up to £50,000 and/or two years imprisonment.</p>
20	<p>Marine National Protected Species The applicant's attention is drawn to Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended), under which it is an offence to intentionally or recklessly kill, injure or take any wild animal included in Schedule 5 to the Order. This includes the common seal (<i>Phoca vitulina</i>), grey seal (<i>Halichoerus grypus</i>), basking shark (<i>Cetorhinus maximus</i>), angel shark (<i>Squatina squatina</i>), common skate (<i>Dipturus batis</i>) short snouted seahorse (<i>Hippocampus hippocampus</i>), spiny seahorse (<i>Hippocampus guttulatus</i>), spiny lobster (<i>Palinurus elaphus</i>) and fan mussel (<i>Atrina fragilis</i>).</p>
21	<p>Article 11 of the Wildlife (Northern Ireland) Order 1985 (as amended) provides that a person shall not be guilty of an offence under Article 10 (killing or injuring a species listed in Schedule 5 (as amended)) if the act was incidental to a lawful operation (i.e. activity permitted by a Marine Licence or Planning Permission) and could not reasonably be avoided. A separate marine Wildlife Licence is therefore not required for national marine protected species if a Marine Licence/Planning Permission has been granted, since adherence to the conditions of the Marine Licence should reduce the likelihood of harm to marine national protected species.</p>
22	<p>Under Article 10 it is an offence to intentionally or recklessly disturb; common seals, grey seals or basking sharks. It is also an offence under Article 10 to intentionally or recklessly damage or destroy, or obstruct access to, any structure or place which these animals (Schedule 5¹) use for shelter or protection; damage or destroy anything which conceals or protects any such structure; or disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.</p>
23	<p>Under Article 13 it is an offence to sell or transport any Schedule 7 animal dead or alive at any time². Any person who knowingly causes or permits an act which is made unlawful under Article 10 or Article 13 shall also be guilty of an offence. It is the applicant's responsibility to ensure that an offence is not committed. Further advice can be sought from DAERA Marine and Fisheries Division, Klondyke Building, Cromac Avenue, Belfast BT7 2JA. Under the Wildlife (Northern Ireland) Order 1985 (as amended) a licence may be required for any operations which might impact on protected species.</p> <p>¹ Common skate and angel sharks in respect to Article 10 (1) only and within 6 nautical miles of coastal water only. ² Schedule 7 species includes all Schedule 5 species listed in</p>
24	<p>NIEA Water Management Unit would request that once a contractor has been appointed, A Construction Environmental Management Plan (CEMP) should be</p>

	<p>submitted to NIEA Water Management Unit, at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment. The CEMP must include method statements for any proposed works near/in the river to include any surface water discharge point construction, as well as proposals to prevent site runoff from weather events adversely affecting the waterway. This can be sent directly to Water Management Unit Pollution Prevention Team (nieapollutionprevention@daera-ni.gov.uk) The applicant must refer and adhere to all the relevant precepts contained in Standing Advice Multiple Dwellings.</p>
25	<p>The applicant must refer and adhere to all the relevant precepts contained in Standing Advice Pollution Prevention Guidance. The applicant must refer and adhere to all the relevant precepts contained in Standing Advice Discharges to the Water Environment. Water Management Unit recommends the applicant refers and adheres to the precepts contained in Standing Advice Sustainable Drainage Systems.</p>
26	<p>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. 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.</p>
27	<p>It is also an offence to;</p> <ul style="list-style-type: none"> (a) deliberately disturb such an animal while it is occupying a structure or place which it uses for shelter or protection; (b) deliberately disturb such an animal in such a way as to be likely to; <ul style="list-style-type: none"> (i) affect the local distribution or abundance of the species to which it belongs; (ii) impair its ability to survive, breed or reproduce, or rear or care for its young; or (iii) impair its ability to hibernate or migrate; (c) deliberately take or destroy the eggs of such an animal; (d) deliberately obstruct access to a breeding site or resting place of such an animal; <p>or</p> <ul style="list-style-type: none"> (e) damage or destroy a breeding site or resting place of such an animal. <p>(2) It is an offence for any person;</p> <ul style="list-style-type: none"> (a) to have in his possession or control, (b) to transport, (c) to sell or exchange, or (d) to offer for sale or exchange, <p>any live or dead animal which is taken from the wild and is of a species listed in Annex IV(a) to the Habitats Directive, or any part of, or anything derived from, such an animal.</p> <p>It is the applicant's responsibility to ensure that an offence is not committed. Further advice can be sought from DAERA Marine and Fisheries Division, Klondyke Building, Cromac Avenue, Belfast, BT7 2JA. Under this legislation a licence may be required for any operations which might impact on European Protected</p>

ANNEX	
Date Valid	12th April 2018
Date First Advertised	27th April 2018
Date Last Advertised	N/A
Date of Last Neighbour Notification	N/A
Date of EIA Determination	N/A
ES Requested	N/A
Drawing Numbers and Title	

Drawing No. 01
Type: Site Location Plan

Drawing No. 02
Type: Existing Site Survey

Drawing No. 03
Type: Proposed Site Plan

Drawing No. 04
Type: Proposed Boundary Treatments Plan

Drawing No. 05
Type: Proposed Boundary Treatments Details

Drawing No. 06
Type: Block A - Ground Floor Plan

Drawing No. 07
Type: Block A - First Floor Plan

Drawing No. 08
Type: Block A - Second Floor Plan

Drawing No. 09
Type: Block B - Ground Floor Plan

Drawing No. 10
Type: Block B - First Floor Plan

Drawing No. 11
Type: Block B - Second Floor Plan

Drawing No. 12
Type: Block C – Ground Floor Plan

Drawing No. 13
Type: Block C – First Floor Plan

Drawing No. 14
Type: Block C – Second Floor Plan

Drawing No. 15
Type: Block A – Proposed Elevations

Drawing No. 16
Type: Block B – Proposed Elevations

Drawing No. 17
Type: Block C – Proposed Elevations

Drawing No. 18
Type: Road Layout

Drawing No. 19
Type: Contextual Site Plan

Drawing No. 20
Type: Proposed Landscape Plan