

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 12 March 2019	
Application ID: LA04/2018/0832/F	
Proposal: Mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works (amended scheme)	Location: Lands at 155 171-177 Lisburn Road and 16 Ashley Avenue Belfast
Referral Route: Scheme exceeds 12 residential units and a third party representation has been received that conflicts with case officer's recommendation.	
Recommendation:	Approval
Applicant Name and Address: Clear Rosemount 157 Roden Street Belfast BT12 5QA	Agent Name and Address: TSA Planning 20 May Street Belfast BT1 4NL
Executive Summary: Planning permission is sought for the demolition of an existing vacant bank building and erection of mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works. The site 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 2001; and zoned for housing and on an Arterial Route in draft BMAP 2015. The main issues to be considered in this case are; <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; and draft Lisburn Road Area of Townscape Character; - Loss of the existing building on the site; - The impact on the setting of nearby listed buildings; - Potential for intrusion on nearby residential properties; - Potential for Noise, nuisance and pollution on neighbouring residential properties; - The impact on traffic and parking; and - Third party representations. 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, is on land zoned for housing in the draft plan; and is within an existing commercial street frontage that favours active commercial at ground floor and residential on upper floors. The impact on the character of the surrounding area is considered to be acceptable. The Council's Environmental Health Services Dept. has no concerns in relation to the potential for noise, nuisance	

and disturbance. In respect of the impact on parking and traffic, DfI Roads are content. Historic Environment Division of DfC has no concerns regarding the impact of the proposal on nearby listed buildings.

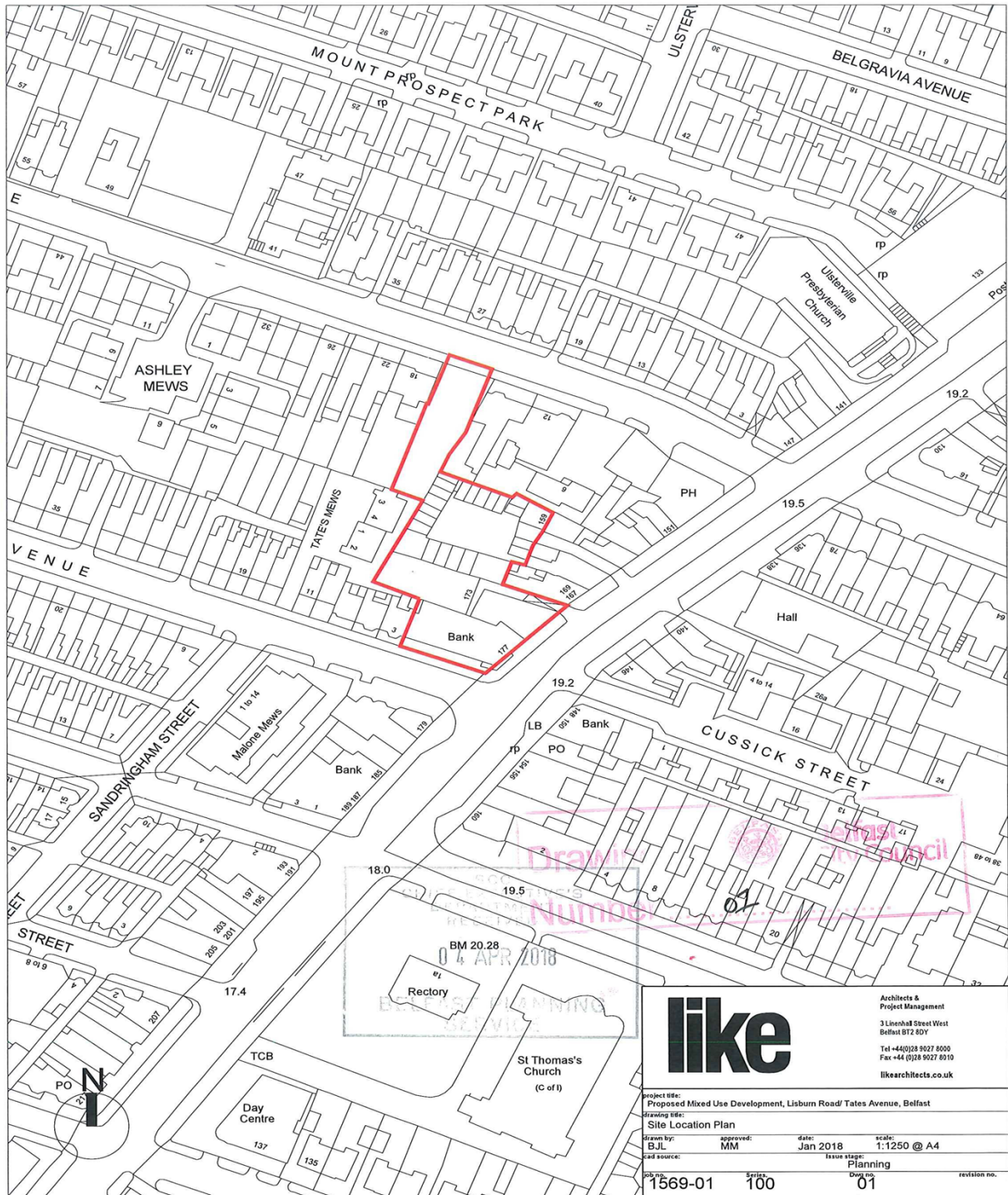
Concerns raised by third party representations refer only to parking issues. This is addressed in the body of the case officer report.

Recommendation

Having had regard to the development plan and other material considerations it is recommended that the application is approved subject to conditions. It is requested that the final wording of conditions is delegated to the Director of Planning and Building Control.

Case Officer Report

Site Location Plan



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Project Ref: Proposed Mixed Use Development, Lisburn Road/ Tates Avenue, Belfast
 Drawing Ref: Site Location Plan
 Date: Jan 2018
 Scale: 1:1250 @ A4
 Issue Stage: Planning
 Drawn by: B.J.L.
 Approved by: MM
 Date: Jan 2018
 Scale: 1:1250 @ A4
 Issue Stage: Planning
 Job No: 1569-01
 Series: 100
 Draw No: 01
 Revision No:

Representations:

Letters of Support	None Received
Letters of Objection	1
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	Description of Proposed Development
1.1	Demolition of existing vacant bank building and erection of mixed use development comprising 2 retail units, 1 café unit, 23 apartments, access, parking, amenity space, landscaping and site works.
2.0	Description of Site / Area The application site is the northern corner of Tate's Avenue with the junction with Lisburn Road and comprises lands at 155, 171-177 Lisburn Road and 16 Ashley Avenue, Belfast. The site is a prominent site and is occupied by a derelict 3 storey bank building on its south side, a gap site and vacant brownfield land to the north. The site also includes access from Ashley Avenue. The site is bounded by the rear of 159- 169 Lisburn Road on its east side; No's. 3 and 5 Tate's Avenue and 1-4 Tate's Mews on its south-west boundaries; 18 Ashley Avenue on its northwest side; and 6-16 Ashley Avenue on its north side, levels on the site decrease to the rear along Tate's Avenue.
2.1	The surrounding area is characterised by mixed land uses, including residential and commercial in an eclectic range of architectural designs but predominantly late Victorian.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2008/2429/F - 155-177 Lisburn Road, 16 Ashley Avenue, 3-7 Tate's Avenue BT9. Mixed use development of 45 No. private apartments with on-site car parking and 3 No. retail units to ground floor. Approved 30 July 2010. Expired
3.2	LA04/2017/2474/PAD - Nos 155 157, 159, 175 & 179 Lisburn Road and No. 16 Ashley Avenue, Belfast. Mixed use development comprising 3 No. ground floor retail units, c.23 No. apartments to upper floors and associated amenity space, car parking and all other site works. PAD concluded
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015
4.3	Regional Development Strategy 2035; Belfast Urban Area Plan 2001; Belfast Metropolitan Area Plan (BMAP) 2015 (draft); Strategic Planning Policy Statement for NI (SPPS); Planning Policy Statement 7 – PPS7: Quality Residential Environments Planning Policy Statement 6 - PPS6: Planning, Archaeology and the Built Heritage. Addendum to PPS6- APPS: Areas of Townscape Character Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets Planning Policy Statement 3 - PPS3: Access, Movement and Parking; and Planning Policy Statement 15 – PPS15: Planning and Flood Risk.
5.0	Third Party Representations

5.1	1no written representation has been made in respect of this proposal. The third party representation states that they are content in principle to the proposed development but are concerned with the car parking arrangements.
5.2	This is a material planning consideration and will be addressed in the assessment, below.
6.0	Assessment
6.1	<p>Consultations: The following were consulted as part of the processing of this application: Department for Infrastructure – Roads; Belfast City Council's Environment and Health Services Dept; Historic Environment Division – Historic Buildings; NIEA – Natural Heritage; Rivers Agency; NIWater; Tree Officer; Urban Design Officer; Development Plan team; and Northern Ireland Housing Executive.</p> <p>None have any objection in principle to the proposal.</p>
6.2	<p>Site Constraints: The extant plan for Belfast is the Belfast Urban Area Plan 2001. However, the draft Belfast Metropolitan Area Plan 2015 is also a material consideration. The site is within the development limits for Belfast in both plans. The site is unzoned whiteland in the BUAP. It is on land zoned for both a committed housing site and for social housing in draft BMAP 2015 (designation SB 03/01); and is within a proposed Area of Townscape Character (BT039 – Lisburn Road). It is also on an Arterial Route (AR01/10 – Lisburn Road).</p>
6.3	<p>Status of Housing Zoning on the Site & the Principle of Development: The LDP team has commented on the dual zoning of this site as both committed housing and for social housing. The LDP team advised that there appears to be an incompatibility of the dual zoning for the application site as both a committed housing site (in respect of private apartments under application reference Z/2008/2429/F) and as a social housing site. It is notable that the site was originally zoned as a social housing site (SB 02/05) in the 2004 draft of BMAP, with the second zoning of committed housing site being added for the final pre-adoption draft BMAP following the planning approval in 2010. This suggests that the aspiration of BMAP was for social housing to be delivered on the site, with this aspiration remaining should the approved private mixed use scheme not be delivered, although there was no formal discussion to this end as part of the BMAP public examination. The second zoning merely reflects a planning approval which has subsequently expired. Had the Department or the PAC deemed the site to no longer be required for social housing then presumably they would have availed of the opportunity to remove that designation. It would therefore be reasonable to consider a requirement for at least part of the residential units to be provided as social housing. The LDP team therefore recommended consultation with NIHE with regards to the current identified need for social housing in the vicinity of the site.</p>
6.4	<p>NIHE was consulted and advised that they are keen to see the requirement for social housing on this site in dBMAP upheld, adding that there is an acute need for social housing in the Lisburn Road Common Landlord Area, 434 households of whom 341 are in housing stress. On the supply side only 21 allocations were made in the year to September 2018. The NIHE does not own or control the lands.</p>

6.5	<p>The NIHE has not confirmed if it entered into any discussions with the private landowner of this site with an aim to deliver social housing. The proposal is for private residential development and it would be unreasonable to restrict tenure on a privately owned site. Of particular note, the position held by the PAC in reference 2012/A0079 for Nelson Street and has not changed in the intervening years and it remains the case that there is currently “no effective mechanism to secure social housing... through the planning control process.” Furthermore the granting of permission for general housing on the site does not prevent the site eventually being used for social housing, if a social housing provider or NIHE were to purchase the land or indeed housing units within the scheme.</p>
6.6	<p>In summary, the site is unzoned whiteland in the extant plan and zoned for social housing in the dBMAP and in addition there was a previous approval for dwellings units (unrestricted) on the site, which has now expired. Therefore, in principle, under the extant plan providing the proposal meets other relevant material considerations the proposed is compliant. In terms of the draft status for social housing, there is no policy mechanism to bring the site forward for social housing at this stage either in its entirety or in part. In conclusion, taking account of all the competing factors, the principle is considered acceptable in this case.</p>
6.7	<p>Taking account of the above, the site benefits from being in a highly accessible location, on an existing arterial route and commercial frontage and is serviced well by public transport and is within easy walking distance to and from the city centre. Therefore, the mix of uses for commercial ground floor with residential above is considered to be viable and acceptable in principle at this location. As retail use and ‘living above the shop’ is characteristic of the location.</p> <p>The proposal therefore falls to be assessed under regional planning policy.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> (a) Loss of existing building on the site; (b) Impact on amenity / character of the Lisburn Road ATC; (c) Impact on Listed Buildings; (d) Flooding; (e) Retail units; and (f) Road safety / traffic flow / parking.
6.8	<p>Loss of Existing Building:</p> <p>The site falls within a draft Area of Townscape Character (ATC) and therefore the demolition of any building in an ATC that exceeds 115 cubic metres will require planning permission. Under Policy ATC 1 of APPS6 there is a presumption in favour of retaining any building that makes a positive contribution to the character of an ATC. The overall character of the Lisburn Road ATC is mostly, but not completely, defined by late Victorian and Edwardian architecture. The building on the site is a 1960s modern building. This is in a state of dereliction and as such makes no material contribution to the distinctive character of the ATC. Therefore its demolition should be permitted to allow for an opportunity to redevelop this site with a suitable replacement.</p>
6.9	<p>Impact on Amenity</p> <p>The SPSS for NI states that amenity considerations arising from development that may have potential health and well-being implications include design considerations, impact relating to visual intrusion, general nuisance, loss of light, and overshadowing. Visual amenity is also a material consideration.</p>

6.10	<p>Form, Massing and Scale: On the street frontages of the building on Lisburn Road and Tate's Avenue, the proposal has a maximum of 6 storeys at its highest point and a minimum of 3 at its lowest point. The rear of the building has a single storey element. Fenestration is in favour of voids over solid in the east and south elevations, with full length windows on the ground floor to accommodate the proposed commercial units. The overall form is a box shaped building with staggered levels to enable cohesion with lower density adjoining buildings. The roof is flat. Finished materials include red brick and aluminium curtain walling to the front elevation. The rear elevations are to be finished in grey render. Window frames are grey aluminium. Fascia to the shops are also grey aluminium. The commercial units on the Tate's Avenue side will have stall risers.</p>
6.11	<p>The overall architectural design, finishes, form, scale, and massing of the proposal is deemed to be acceptable given the proposed function of the building and its location on a corner site, which are generally accepted as being able to accommodate taller buildings. It is also considered to be an improvement to the existing building on the site. The proposal is therefore considered to comply with design principles of the SPPS; conforms to Policy QD1 of PPS7; and Policy ATC2 of APPS6.</p>
6.12	<p>Overlooking / Dominance / Overshadowing / Loss of Light: The 3 storey element of the building on the Tate's Avenue side of the site has potential to overshadow / over-dominate the rear garden of the adjoining property at No.3 Tate's Avenue. However, the height and depth of this part of the building is similar to that of the existing bank building it proposes to replace. As such the proposal will not result in any additional detriment to No.3 Tate's Avenue than the existing building on the site. Given separation distances between the rear of the proposed building and the nearest residential properties (other than No. 3 Tate's Avenue) at No's 1-4 Tate's Mews and a step down in height at the rear of the proposal, overshadowing, loss of light and dominance. This will also ensure unacceptable overlooking from windows will not be an issue. Two-metre tall obscure glass balustrades along the proposed roof terraces will also prevent overlooking from the open amenity areas. This complies with Policy QD 1 of PPS 7.</p>
6.13	<p>Outlook: Each apartment has an acceptable outlook from main rooms such as bedrooms and living rooms. The only exception is the view from the bedrooms of apartment No's 1, 2 and 6 which will look directly onto private amenity space and a fence at a distance of 4m; 3m; and 2.5m, respectively. Although not ideal, this is not deemed to be unacceptable.</p>
6.14	<p>Amenity Space: Open amenity space is provided in the form of communal and private roof terraces. An area in excess of the minimum requirement of 230sqm. will be provided. This is in line with Policy QD1 (c) of PPS7 and its associated published guidance such as Creating Places.</p>
6.15	<p>Other Amenity Impacts: One of the commercial units is proposed for use as a café. DCAN 4 is relevant and paragraph 5.1 states that in assessing applications for restaurants / cafes a number of factors need to be taken onto account. These include: noise disturbance; smells and fumes; refuse and litter; and traffic considerations and car parking. Having regard to the impact on the local vicinity in terms of noise, odours, litter, etc. Environmental Health is the statutory authority responsible for these such matters and was consulted for advice on this proposal.</p>

6.16	<p>Noise: Environmental Health is satisfied sufficient information has been presented in the noise assessment to demonstrate that the operations associated with the use of the proposed café/ restaurant can be mitigated with appropriate control measures in place to avoid adverse noise impact on existing and prospective residents.</p>
6.17	<p>Odours: In respect of potential for smells and fumes emanating from cooking operations on the premises, Environmental Health is content with the proposed mitigation which is to install an odour abatement system is acceptable and can be ensured via a condition.</p>
6.18	<p>Litter: Litter and waste from fast food outlets can attract pests and vermin is not managed effectively. This is something that is difficult for planning to enforce. However, Environmental Health is the statutory authority in dealing with such matters and has powers to intervene if litter and waste becomes a problem.</p>
6.19	<p>Road safety / traffic flow / parking: The proposal is inclusive of incurtilage car parking to serve the 23 apartments. This will be accessed via an existing driveway from Ashley Avenue. 19no spaces will be provided incurtilage in total. A parking survey included with the application demonstrates sufficient on-street parking availability for the shortfall in incurtilage spaces and spaces required to accommodate the commercial units. Dfl Roads is content with the parking and access arrangements. Dfl Roads also commented on the single third party representation which raised concerns regarding the impact on car parking in the area as a result of this proposed development. Roads state that it is satisfied that parking on-street is unlikely to have a significant impact on the local road network in terms of traffic and road safety.</p>
6.20	<p>Flooding: In line with Policy FLD 3 of PPS15 a Drainage Assessment has been provided by the developer. Rivers Agency provided comments and is content that the proposal will have adequate drainage in place to ensure flooding does not occur as a result of the development.</p>
6.21	<p>Listed Buildings: The application site is in close proximity to listed buildings refs HB26/28/054 A - 22 Ashley Avenue, a Grade B1 listed building; HB26/28/054 B - 24 Ashley Avenue, Belfast (Grade B1); HB26/28/054 C - 26 Ashley Avenue, Belfast (Grade B1); and HB26/28/041 - 138 Lisburn Road, Belfast (Grade B2).</p>
6.22	<p>HED Historic Buildings was consulted on the basis of the proximity of the application site to these buildings and considers the proposal satisfies SPPS 6.12 (Development proposals impacting on Setting of Listed Buildings) of the SPPS for NI; and Policy BH11 (Development affecting the Setting of a Listed Building) of PPS6.</p>
6.23	<p>Retail Units: The inclusion of a mixed scheme on a housing zone is deemed to be acceptable as the site is on an Arterial Route, is a prominent corner site and is partially a gap site. The existing / previous use is also commercial. This will provide active frontage at a busy corner location. The SPPS advocates a sequential test that favours city centre as first choice for main town centre uses such as retail. However, in this case the 2 retail units and 1 café unit have a gross cumulative floorspace of less than 500sqm and are considered to be acceptable and appropriate in size to the location and will not impact the viability of the city centre as a shopping destination. This is considered to be in</p>

<p>6.24</p> <p>6.25</p> <p>6.26</p> <p>6.27</p> <p>6.28</p>	<p>compliance with dBMAP and the SPPS and will be subject to a no amalgamation condition.</p> <p>Landscaping: An adequate amount of soft planting is proposed within the site. The Council's tree officer is content with the amount of soft landscaping, species etc.</p> <p>Other: Other amenity issues such as delivery access and bin storage arrangements are acceptable. Waste from the restaurant will be stored in a corral style compound directly to the rear of the building. The bin storage for the apartments is at the rear of the car park, separate from the bin storage for the commercial units.</p> <p>Other Consultation Responses: NIEA stated that if NIW indicate that the WWTW is able to accept the additional load, with no adverse effect on the operation of the WWTW or its ability to comply with its consent to discharge, then Water Management Unit would have no objection to the proposal.</p> <p>NIWater confirmed approval to discharge surface water to the existing combined sewers on Ashley Avenue and Lisburn Road subject to a number of stated conditions. A copy of this correspondence is included in Appendix E of Drainage Assessment uploaded on 21 September 2018.</p> <p>The Council's Urban Design Officer is content with the proposal.</p>
<p>7.0</p>	<p>Recommendation: 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>8.1</p> <p>8.2</p> <p>8.3</p>	<p>Conditions:</p> <p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Notwithstanding the details hereby approved, prior to the occupation of the development all glass balustrades / screens to the west facing rear elevation of the building shall be 2m tall and fitted and permanently retained with obscure glass to Pilkington level 3 (or equivalent). In event of breakage or replacement they shall be fitted with similar obscure glass.</p> <p>Reason: To safeguard the privacy of adjacent properties.</p> <p>The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved drawing no. 04B bearing the planning authority date stamp 03 October 2018. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.</p> <p>Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site.</p>

8.4	<p>The vehicular access, including visibility splays, shall be provided in accordance with the approved drawing no. 16 bearing the planning authority date stamp 04 April 2018, prior to the commencement of any other works or other development hereby permitted.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p>
8.5	<p>The development hereby permitted shall not be occupied until the existing redundant vehicular access has been permanently closed and the road properly reinstated to the satisfaction of DfI.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road and the convenience of road users.</p>
8.6	<p>The development shall not be occupied until secure and covered cycle parking facilities have been provided on the site. These facilities shall be permanently retained on the site.</p> <p>Reason: To ensure acceptable cycle parking on the site and to encourage alternative modes of transport to the private car.</p>
8.7	<p>Prior to the commencement of operation of the ground floor café unit a proprietary odour abatement system as specified in the Aecom report ref: LA04/2018/0832/F dated 26th June 2018 shall be installed in the proposed café unit to suppress and disperse odours created from cooking operations on the premises.</p> <p>The outlet from the commercial kitchen extract ventilation ducting shall terminate at a minimum of 1m above the highest point of the proposed building as per stamped approved drawing No. 12C, date stamped 19 December 2018 and shall be retained thereafter.</p> <p>Reason: Protection of residential amenity</p>
8.8	<p>Prior to the occupation of the residential units a verification report shall be submitted for review and for approval in writing by Belfast Planning Service demonstrating that the acoustic mitigation measures as outlined in section 4.3 and table 2 (façade/windows and ventilation acoustic requirements) and section 5(sound reduction requirements for floor) in the Lester Acoustics Noise Impact Assessment Ref:MRL/1218/L01 dated 16 February 2018 have been implemented to ensure that the internal noise levels do not exceed the following internal targets:</p> <ul style="list-style-type: none"> • 35 dB $L_{Aeq,16hrs}$ at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; • 30 dB $L_{Aeq,8hr}$ at any time between the hours of 23:00hrs and 07:00hrs within any habitable room, with the windows closed and alternative means of acoustic ventilation provided in accordance with current building control requirements; <p>Not exceed 45 dB L_{Amax} for more than 10 sound event between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.</p> <p>Reason: In the interests of amenity.</p>

8.9	<p>Prior to the occupation of the proposed residential units a Mechanical Ventilation and Heat Recovery system shall be installed in all apartments as per stamped approved drawing No. 10C, date stamped 16 December 2018.</p>
	<p>Reason: In the interests of residential amenity.</p>
8.10	<p>Prior to the occupation of the development hereby approved, an acoustic solid screen shall be installed around the perimeter of the terrace areas with a minimum height of 1.6m and surface weight of 11 Kg/m² as per section 4.4 and 4.6 of the Lester Acoustic Report REF: MRL/1218/L01.</p>
	<p>Reason: Protection of residential amenity.</p>
8.11	<p>Prior to the operation of the ground floor commercial units a verification report shall be submitted to the Planning Service and approved in writing which demonstrates that the sound and vibration mitigation measures as outlined in section 6 of Lester Acoustics Report Ref:MRL/1218/L01, and additional report REF:MRL/1218/L02 and stamped drawing 05B have been implemented with respect to the proposed external plant and equipment and internal plant and associated risers and shall demonstrate that:</p>
	<ul style="list-style-type: none"> • The combined rating level of external plant and equipment shall not exceed 46dbLA_r when measured at the façade of the nearest proposed residential unit or existing residential or proposed external amenity area with all measurements carried out in line with BS4142:2014 Methods for rating and assessing industrial and commercial sound.
	<p>Reason: Protection of residential amenity.</p>
8.12	<p>The commercial units hereby approved shall not operate between the hours of 11pm and 7am.</p>
	<p>Reason :Protection of Residential Amenity</p>
8.13	<p>All proposed soft landscaping works shall be carried out in accordance with stamped approved drawing No. 14B, bearing the Council's date stamp 05 October 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>
	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
8.14	<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>

8.15	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</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>Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.</p>
8.16	<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>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>
9.0	Informatives
9.1	<p>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.</p>
9.2	<p>Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Section Engineer whose address is 1A Airport Road, BELFAST, BT3 9DY. A monetary deposit will be required to cover works on the public road.</p>
9.3	<p>All construction plant and materials shall be stored within the curtilage of the site.</p>
9.4	<p>Provision shall be made to the satisfaction of DfI, to ensure that surface water does not flow from the site onto the public road.</p>
9.5	<p>Clean Neighbourhoods and Environment Act (NI) 2011</p> <ul style="list-style-type: none"> • The applicant is advised to ensure that all plant and equipment is so situated, operated and maintained as to prevent the transmission of noise, odour or dust to nearby properties. • The applicant should refer to current industry guidance – DEFRA's Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2005 as amended by EMAQ 2018 • The applicant is advised to ensure that the inlet and outlet points to the residential mechanical ventilation units' are so situated to ensure the residential units are

	not adversely impacted by odours associated with the ground floor café's kitchen extractor flue.
9.6	<p>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT (NORTHERN IRELAND) 2011</p>
	<ul style="list-style-type: none"> • In order to reduce the impact of odours and noise generated by the extraction and ventilation system, the applicant should consult relevant industry guidance, such as: 'EMAQ Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' dated 5/9/2018 • The applicant is advised to ensure that all plant and equipment used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration or odours to nearby residential and commercial premises.
9.7	<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 DfI Rivers. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27 5QB.</p>
9.8	<p>Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.</p>
9.9	<p>Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site: - such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.</p>
9.10	<p>Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.</p>
9.11	<p>Consent to discharge additional storm run-off to the watercourse(s) serving the site may need to be deferred pending completion of proposed drainage infrastructural improvements necessary to provide adequate capacity for increased flows. The Rivers Agency should be consulted about proposed timing of development at the earliest possible time.</p>
9.12	<p>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:</p> <p>Historic Environment Division – Historic Monuments Causeway Exchange 1–7 Bedford St</p>

9.13	<p>Belfast, BT2 7EG Tel: 02890 823100 Quote reference: LA04/2018/0832/F or ANT061:014</p> <p>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</p>
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ANNEX	
Date Valid	4th April 2018
Date First Advertised	27th April 2018
Date Last Advertised	N/A
Date of Last Neighbour Notification	7th November 2018
Date of EIA Determination	N/A
ES Requested	No
Planning History	
<p>Ref ID: LA04/2017/2474/PAD Proposal: Mixed use development comprising 3 No. ground floor retail units, c.23 No. apartments to upper floors and associated amenity space, car parking and all other site works. Address: Nos 155, 157, 159, 175 & 179 Lisburn Road and, No. 16 Ashley Avenue, Belfast, BT9 7BT, Decision: Decision Date:</p> <p>Ref ID: LA04/2017/0342/PAD Proposal: Mixed use development comprising 26 apartments (18 x 2-bed and 8 X 1-bed) and 3 retail units at ground floor level and associated car parking. Address: No's 155,157, 159, 175, 177 & 179 Lisburn Road, and, 16 Ashley Avenue, Belfast, BT9 7BT,</p> <p>Ref ID: Z/2008/2429/F Proposal: Mixed use development of 45 No. private apartments with on site car parking and 3 No. retail units to ground floor. Address: 155-177 Lisburn Road, 16 Ashley Avenue, 3-7 Tates Avenue BT9 Decision: Approval. Decision Date: 11.08.2010</p>	
Drawing Numbers and Title	

Drawing No. 01

Type: Site Location Plan

Drawing No. 02

Type: Existing Site Survey

Drawing No. 03

Type: Existing Elevations

Drawing No. 04B

Type: Proposed Site / Block Plan

Drawing No. 05B

Type: Proposed Ground Floor Plan

Drawing No. 06A

Type: Proposed First Floor Plan

Drawing No. 07A

Type: Proposed second Floor Plan

Drawing No. 08A

Type: Proposed Third Floor Plan

Drawing No. 09A

Type: Proposed Fourth Floor Plan

Drawing No. 10C

Type: Proposed Fifth Floor Plan

Drawing No. 11C

Type: Proposed Roof Plan

Drawing No. 12C

Type: Proposed Elevations

Drawing No. 13

Type: Proposed Cross Section AA & BB

Drawing No. 14B

Type: Landscape Proposals

Drawing No. 15C

Type: Proposed Contextual Streetscapes

Drawing No. 16

Type: Site Layout and Visibility Splays

Drawing No. 17

Type: Existing and Proposed Building Line

Drawing No. 18
Type: Proposed Site Context Plan