

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 23 rd January 2020	
Application ID: LA04/2019/1636/F	
Proposal: Erection of hotel comprising 276 beds, conference facilities, restaurant /café/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works.	Location: Lands directly south of Titanic Belfast and North-West of Hamilton Dock located off Queens Road, Belfast.
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: JMK Group 29 Welbeck Street London W1G 8DA	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary: Application seeking full planning permission for 276 bed hotel, conference facilities, restaurant /café/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works.</p> <p>The key issues in the assessment of the proposal include:</p> <ul style="list-style-type: none"> - The principle of a hotel at this location; - Loss of Open Space - Scale, Massing and Design; - Impact on Built and Archaeological Heritage; - Contaminated Land; - Impact on Protected Sites; - Traffic and Parking - Flooding and Drainage - Impact on amenity; - Air Quality - Pre-application Community Consultation. <p>The site is located within an established industrial/ commercial area within the wider Titanic Quarter. It forms part of the mixed use Titanic Quarter zoning.</p> <p>The site benefits from being part of the wider Phase 2 Concept Masterplan (outline planning permission Z/2010/2864/O) granted in June 2008, with a hotel approved on the site in 2010. The outline approval on the site remains live but the approval for the hotel has lapsed. These permissions establish the principle of development and a hotel use at this location. The 'Design Principles' document which accompanied the concept masterplan included a range of parameters for this particular site (referred to in the masterplan as Block 8) relating to land area, gross floor space, storeys and height. The proposal is approximately 2.2m higher than the 21.5m set out in the masterplan, however on balance, given the quality of the proposal and design cues taken from the nearby listed H&W Drawing Offices, accompanied by the fact Historic Environment Division:</p>	

Historic Buildings Unit has no objections given recent changes to the proposed roof-scape, officers are of the opinion that on balance the scale and massing of the proposal is acceptable.

Consultees & Environmental Matters

Statutory Consultees

DfI Roads – Await response
NIEA Waste Management Unit – Approval subject to conditions
NIEA Water Management Unit – No objection
NIEA Natural Environment Division – Approval subject to conditions
DfI Rivers Agency – No Objection
Belfast City Airport – No Objection
Shared Environmental Services – Approval subject to conditions
Historic Environment Division – Await response

Non-Statutory Consultees

Environmental Health BCC – Approval subject to conditions
Urban Design Officer – No Objection

One letter of objection has been received. The issues raised are considered in the main body of the report.

The proposal will not adversely impact upon the nearby protected sites within and around Belfast Lough. Conditions will ensure that development is carried out in a sympathetic manner to ensure any potential disruption to these sites is mitigated.

Recommendation

Having had regard to the extant development plan, the draft development plan, relevant planning policies, planning approvals in the area, economic benefits and other material considerations the proposed development is considered on balance acceptable.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission and finalise the wording of conditions, and to resolve any issues arising from the outstanding DFI Roads response.

Case Officer Report

Site Location Plan



1.0	Description of Proposed Development
1.1	Erection of 7 storey hotel (including mezzanine level) comprising 276 beds, conference facilities, and restaurant/café/bar uses (including roof top bar), landscaped public realm, car parking and associated site and road works.
1.2	In terms of height, the proposed building incorporates an upper height of 23.7m for a short section of the building to the south with the remaining longer section of the building incorporating a slightly lower height of 23.4m.
1.3	There is a total quantum of around 770.5m ² of rooftop plant. 290.0m at the northern end of the building, setback off the western, northern and eastern edges of the building by 10.3m, 7.2m and 12.5m respectively. An additional 170.5m ² area annotated on plan as 'Area for external plant' wraps around the 290m ² roof plant area on its northern and eastern sides. This area is to be enclosed by a 2.25m high perimeter screen. A third area designated as 'Small Plant Zone' on the southern portion of the roof measures 310.0m ²
1.4	The building surrounds a central courtyard. A large section of which has been identified as conference spill out space with a diagonal route linking to a hotel guest garden space on the northern side. This diagonal route is flanked by grassed areas and planting.
1.5	The scheme includes provision for 100 parking spaces to serve the hotel, split across both ground floor and mezzanine levels and 18 cycle parking spaces (11 internal within parking area and 7 external).
2.0	Description of Site Flat greenfield site with an area of approximately 1.3 Ha.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	Z/2006/2864/O - Residential led mixed use development including Titanic Experience Building, public realm areas and associated infrastructural works. Address: Titanic Quarter Phase II-Land bounded to the south by Abercorn Basin, to the east by Queen's Road, to the west & north by River Lagan and including the listed former Harland & Wolff HQ, Belfast. Decision: Approval Date: 25 th June 2008 This outline planning permission for Phase 2 of Titanic Quarter included a number of documents including a Development Framework, Concept Masterplan and Design Principles. The following time condition was applied: <i>As required by Article 35 of the Planning (Northern Ireland) Order 1991, application for approval of the reserved matters shall be made to the Department within 10 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-</i> <i>i. the expiration of 12 years from the date of this permission: or</i> <i>ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.</i>

	<i>Reason: Time limit.</i>
3.2	Z/2009/1260/F - Erection of hotel comprising 244 bedrooms, ancillary restaurant and conference facilities, hotel offices, landscaped public realm, basement car park and associated site and road works. Address: Lands adjacent to the north of Hamilton Dock, north of Abercorn Crescent/Queen's Road, Queen's Island, Belfast. Decision: Approval Date: 1 st July 2010
3.3	Z/2010/0360/F - Article 28 application to vary Condition 23 attached to Planning Permission Z/2006/2864/O. Address: Titanic Quarter Phase II - Land bounded to the south by Abercorn Basin, to the east by Queen's Road, to the west & north by River Lagan and including the listed former Harland & Wolff HQ, Belfast Decision: Approval Date: 28 th March 2012
3.4	Z/2013/0931/F - High specification office building (of 6 and 7 storeys) comprising 2,970 sq m of class B1(a) office use and 14,642 sq m of B1 (C) research and development, basement car parking, landscaping, access and associated site works. Address: Land East of Queen's Road, North of Public Records Office of Northern Ireland and South of Belfast Metropolitan College, Queen's Island, Belfast Decision: Approval Date: 16 th July 2014
3.5	LA04/2016/0096/F - Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to listed former Harland & Wolff Headquarters Building and to provide 36no. additional bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and associated access and site works. Address: Former Harland And Wolff Headquarters Building and Drawing Offices, Queens Road, Belfast. Decision: Approval Date: 16 th May 2017
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 Draft 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 4 - Planning and Economic Development Planning Policy Statement 6 - Planning, Archaeology and the Built Environment Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation Planning Policy Statement 13 – Transportation and Land Use Planning Policy Statement 15 - Planning and Flood Risk Planning Policy Statement 16 - Tourism
5.0	Statutory Consultees DfI Roads – Await response NIEA Waste Management Unit – Approval subject to conditions NIEA Water Management Unit – No objection NIEA Natural Environment Division – Approval subject to conditions DfI Rivers Agency – No Objection Belfast City Airport – No Objection

	Shared Environmental Services – Approval subject to conditions Historic Environment Division – Await response
6.0	Non-Statutory Consultees Environmental Health BCC – Approval subject to conditions Urban Design Officer – No Objection
7.0 7.1	Representations One letter of objection was received. The following points of concern were raised: <ul style="list-style-type: none"> - Design review should be undertaken. Proposal should respond to the history of the site. - It is considered that the proposal draws upon historic design cues from the H&W Drawing Offices and the materials are in keeping with the character of the area. - The building should be consistent with the 21.5m height approved in Phase 2 of the Masterplan. - The proposal is approximately 2.2m higher than the max. height set out in the Masterplan. Historic Environment Division (Buildings Unit) has offered no objection in relation to the potential impact on the setting of the adjacent H&W Drawing Offices (discussed further below) the Urban Design Officer is also of the opinion that the upper floor reads as a lighter, subservient element. This treatment also results in a strong shoulder height which picks up on the upper roof height of the Harland and Wolff building, on balance officers are of the opinion that this slight increase in height is not significant and it's scale and massing are appropriate to its surrounding context including the listed Harland and Wolff Drawing Office. - Any increase in traffic onto Olympic Way should be managed carefully. - The necessary sightlines and necessary roads infrastructure are in place to serve the proposal. This should ensure that the flow of traffic from the site will be appropriately managed through the existing junctions onto Olympic Way and onto Queens Road. - Sightlines of Titanic Belfast should be retained from various directions. - Although the Titanic Signature Building is offered no protection in terms of its setting, the proposed hotel is located approximately 75m south of the building with clear views retained from the southern approach along Queens Road. It should also be noted that the area surrounding the site has been earmarked for development as part of the previously approved Masterplan.
8.0 8.1 8.2 8.3 8.4	Other Material Considerations The Development Framework dated 10 August 2007 and received by Planning Service 18 June 2008 The Concept Masterplan dated December 2006 and received by Planning Service 18 June 2008 The Design Principles document dated April 2008 and received by Planning Service 18 June 2008 The Transport Master Plan dated January 2008 and received by Planning Service 6th February 2008
9.0	Assessment The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - The principle of a hotel at this location; - Loss of Open Space - Scale, Massing and Design; - Impact on Built and Archaeological Heritage; - Contaminated Land; - Impact on Protected Sites; - Traffic and Parking - Flooding and Drainage - Impact on amenity; - Air Quality and other Environmental issues;

	<ul style="list-style-type: none"> - Pre-application Community Consultation. -
9.1	<p>The principle of a Hotel on the site</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.</p>
9.2	<p>In the Belfast Urban Area Plan the site is located on unzoned land within the development limits of Belfast and within the Draft Belfast Metropolitan Area Plan within the Titanic Quarter zoning. The presumption is therefore in favour of development subject to the planning considerations detailed below.</p>
9.3	<p>A number of key site requirements are set out for development in the zoning BHA01. One of these requirements is that development of the site shall only be permitted in accordance with an overall development framework.</p>
9.4	<p>A development framework was prepared for the entire Titanic Quarter in 2003 and agreed by the Department of the Environment in 2008 and later amended in 2010. This provided an overall planning context for the phased development of the area. This framework is supported by a Transport Masterplan which stipulates infrastructure required at each phase of the development. The site is located within Phase 2 of the framework.</p>
9.5	<p>A hotel use is not specifically listed in BMAP as one of the uses suitable for the Titanic Quarter zoning. Although the Use is sui generis it falls within the broader leisure/ culture thrust of the Titanic Quarter Designation. This is reflected by the previous approval for a hotel on the site in July 2010 (submitted as a full application as opposed to a reserved matters as it wasn't directly in keeping with Design Framework). The Development Framework talks about a 'Development of mixed leisure and residential focus around Hamilton Graving Dock'. Page 19 of the Framework states that for the area around Hamilton Graving Dock 'It is proposed to flank the dock with new development of apartments and leisure use.....'.</p>
9.6	<p>As stated above, a hotel use is sui generis, but given the recommendations made for Plot 8 in the outline planning permission, including employment (Titanic Quarter Phase 2 – Lagan Village Development Matrix), along with the planning history on the site (approval for a hotel in July 2010) the use is considered acceptable in principle on the site. The Titanic Framework document (which formed part of the outline masterplan approval) also states that the main land use components of this new city centre quarter can be described as including: Leisure, cultural, recreation and tourism destinations that bring the heritage of the site to life, including hotels, water based leisure and a cruise liner berth.</p>
9.7	<p>The proposal has been assessed against Policy PED 9 of PPS4 and Policy TSM1 of PPS16. This will be discussed in detail below.</p>
9.8	<p>Policy PED9 states that a proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria:</p> <ul style="list-style-type: none"> - it is compatible with surrounding land uses; <p>The proposal is within an established industrial/ commercial area within the Titanic Quarter. Historic Environment Division have raised no objections in terms of the setting of the adjacent H&W drawing offices but for reasons set out below, the proposed building is considered acceptable. HED (Monuments) have raised no objections subject to conditions and are in consultation with the applicant to provide scheduled monument consent.</p>

- it does not harm the amenities of nearby residents;
The closest residential properties are located approximately 130m south of the site. Environmental Health has not raised any specific concerns about the potential impact on the amenity of these properties.
- it does not adversely affect features of the natural or built heritage;
Historic Environment Division has not objected in terms of the impact on the setting of the nearby H&W Drawing Offices. The site is not located within any National, European or Internationally designated sites, but is located within close proximity to a number of protected sites (detailed below at 9.30). DAERA and Shared Environmental Services have no objections in relation to potential impact on protected sites.
- it is not located in an area at flood risk and will not cause or exacerbate flooding;
The area is not within a designated flood plain or an area that has been identified as being prone to flooding.
- it does not create a noise nuisance;
The proposed use is not likely to cause significant noise levels that would impact on amenity of nearby properties.
- it is capable of dealing satisfactorily with any emission or effluent;
No emissions would be associated with the proposed use.
- the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;
DFI Roads response remains outstanding, but the proposal is in keeping with conditions relating to the approved Masterplan for Titanic Quarter, this will be discussed further below at 9.38-9.50.
- adequate access arrangements, parking and manoeuvring areas are provided;
100 car parking spaces are proposed. The site is also located off the Glider Route. It is envisaged that the level of parking is acceptable given the accessibility of the site and its proximity to the city centre.
- a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;
The proposed access road and parking tie in with the existing road infrastructure and new road layout which serves this section of Titanic Quarter.
- the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;
The proposed hotel and will not be in any way detrimental to visual amenity. The overall composition provides an appropriate contrast to both the contemporary materials of Titanic Belfast and the more traditional rustic tones of the listed drawing offices.
- appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;
The proposal has been accompanied by a comprehensive planting scheme which will enhance and tie into the existing public realm in the Titanic Quarter. As the proposed hotel has elevations on all four sides of the block, it was acknowledged from an early stage that particular stretches would inevitably be impacted by the non-active uses, normally associated with 'back of house' service requirements and car parking

	<p>provision. It is noted that the consultant team has worked hard to restrict non-active sections and where possible to break them up.</p> <ul style="list-style-type: none"> - is designed to deter crime and promote personal safety; and <p>The active ground floor frontage will promote surveillance and help discourage anti-social behaviour within an illuminated area of public realm.</p> <p>Loss of Open Space</p> <p>9.9 Given that the site is located within a maintained grass area the proposal has been assessed against Policy OS1 of PPS8 'Protection of Open Space'. Although Policy OS1 has the presumption against the loss of existing open space, the planning history in this instance must be given substantial weight. The site is located within an area identified for redevelopment within an approved Masterplan, part of the 2008 Outline permission for Titanic Quarter, as detailed above in Section 3. The principle of development was reinforced through the granting of planning permission for a hotel in 2010, and although this permission has lapsed it remains a material consideration and the outline approval for the overall redevelopment of Titanic Quarter remains live. These considerations outweigh PPS8 policy considerations. For these reasons the principle of redeveloping the site is deemed acceptable.</p> <p>Scale, Massing and Design</p> <p>9.10 The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS. The site benefits from being part of the wider Phase 2 Concept Masterplan approval granted in June 2008. The 'Design Principles' document which accompanied the concept masterplan included a range of parameters for this particular site (referred to in the masterplan as Block 8) relating to land area, gross floor space, storeys and height. For Block 8 this equated to six storeys with an upper height limit of 21.5m (excluding plant) and 15,272m² gross floor space. These height parameters were largely in line with the height of existing buildings surrounding Hamilton Dock which would be between four and six storeys.</p> <p>9.11 At that time, the upper height restriction of 21.5m was considered appropriate due to the sites close proximity to the Hamilton Dock and SS Nomadic, as well as sensitivities with surrounding listed assets which included the Harland and Wolff drawing office building, with the masterplan envisaged another four storey building (Block 7) between this site and the drawing office.</p> <p>9.12 The proposed building height is approximately 23.7m, 2.2m higher than the set out in the Masterplan and 1.2m higher than the hotel approved on the site in 2010. Given that Historic Environment Division (Buildings Unit) has no issues with the impact on the adjacent H&W Drawing Offices (discussed further below), on balance officers are of the opinion that this slight increase in height is not significant and it's scale and massing are appropriate to its surrounding context including the listed Harland and Wolff Drawing Office. Therefore, in terms of overall visual impact, the proposal will not undermine or erode the character of the area.</p> <p>9.10 The Urban Design Officer has stated that <i>'The break-up of the massing and articulation of the building takes design cues from the neighbouring Harland and Wolff building, particularly in relation to how horizontal elements within the elevations of the building have been composed. Here horizontal banding above GF and 2F levels across the entire façade pick up on key horizontal features/detailing found within the listed Harland and Wolff drawing office.'</i></p> <p>9.11 It should be noted that the Urban Design Officer has reservations in relation to the extent and location of roof plant. However given that HED have offered no objections in terms of the listed H&W Drawing Offices, the fact that the plant benefits from a perimeter screen, and the photomontages show limited views of the plant from street level, Officers are of the opinion that any resultant visual impact would not be so significant as to be unacceptable and adversely impact upon the building and the overall character of the area.</p>
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9.12	In terms of the materiality the Urban Design Officer goes on to state <i>'The use of dark brick in the lower five floors alongside bronze/gold accents within window reveals, horizontal banding and corner detailing is undoubtedly bold, yet the overall composition is confident in its own right and provides an appropriate contrast to both the contemporary materials of Titanic Belfast and the more traditional rustic tones of the listed drawing offices'</i> .
9.13	In terms of the materials, the Urban Design Officer has recommended that should approval be granted, an appropriately worded condition is included relating to materials which stipulates that samples are made available for inspection on site and are approved in writing by the Local Planning Authority. This recommendation has informed Condition 19 in Section 11 of the report below.
	Impact on Archaeological and Built Heritage
9.14	The application for 'Erection of hotel comprising 276 beds1' (LA04/2019/1636/F), affects HB26/07/009 Administration and drawing office block (Harland & Wolff) Queens Road Belfast BT3 9DV Co Down, a Grade B+ listed building of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011.
9.15	Historic Environment Division (Historic Buildings) has considered the impacts of the proposal on the listed building and on the basis of the information provided considers the proposal satisfies the policy requirements of Paragraph 6.12 of Strategic Policy Planning Statement for Northern Ireland and Policy BH 11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage.
9.16	More recent design changes include the introduction of mansard windows to 5 th Floor bedrooms The Urban Design Officer considers this an improvement over the previous uniform curtain walling option. The Officer goes on to state <i>'This level is also setback marginally from the lower five floors so that it visually sits comfortably at this level and reads as a lighter, subservient element which is again welcomed. This treatment also results in a strong shoulder height at 4F level which picks up on the upper roof height of the Harland and Wolff building'</i> .
9.17	Although a formal response remains outstanding from Historic Environment Division (HED) further to receipt of amendments in relation to the proposed roofscape, officers have been provided with an informal response. Historic Buildings Unit within HED notes that the 2009 approved scheme agreed to an overall height of 22.5m/6 Storeys. HED acknowledges that the proposed building height is now effectively 23.7M, which is 2.2M over approved masterplan, and a 1.2M increase over 2009 approval, however consider the top floor has been addressed through a definitive contrast to the main block underneath, and acknowledges a separation of approximately 60m between the H+W Drawing Offices Listed asset, and the proposed hotel.
9.18	HED also welcomes the proposed setback/relief on the fenestration to the main block, and that this is creates a depth to the facades.
9.19	The Urban Design Officer has made the following observation - <i>'The break-up of the massing and articulation of the building takes design cues from the neighbouring Harland and Wolff building, particularly in relation to how horizontal elements within the elevations of the building have been composed. Here horizontal banding above GF and 2F levels across the entire façade pick up on key horizontal features/detailing found within the listed Harland and Wolff drawing office'</i> .
9.20	Hamilton Graving Dock was the first of five docks to be built on the Co. Down side of the River Lagan. Its service basin, the Abercorn Basin, opened in 1867, was created out of open water facing the Harland and Wolff shipbuilding berths known as Abercorn Shipyard. The dock is 450ft long and the basin covers over 12 acres of water. It was used to finish the fitting out of ships once they had left the shipways and is constructed with stepped

	sides down the floor. A wharf, now removed, extended into Abercorn basin to the south west of the dock and was used to tie up ships before and after their time in the dock.
9.21	The Industrial Archaeological Impact Assessment (dated July 2019) has provided a comprehensive development history of the site. HED (Historic Monuments) concurs with the conclusions that the physical impact of the development on the industrial heritage could be mitigated by archaeological conditions (below).
9.22	HED (Historic Monuments) has reviewed the requested elevations and photomontages. HED (Historic Monuments) is content that these indicate that the proposed development is acceptable in principal to SPPS and PPS 6 archaeological policy requirements.
9.23	The Structural Engineer's Report (dated July 2019) has proposed mitigation for the concerns raised with regard to the potential impact of piling on the scheduled Hamilton Dock (DOW 004:501). This recommends the use of Continuous Flight Auger (CFA) piles which produce very little vibration and are therefore claimed to be suitable for sensitive sites. The Structural Engineer's Report further recommends the monitoring of any vibration within Hamilton Dock.
9.24	HED (Historic Monuments) accepts the usage of CFA piles, but would require further information from the developer regarding the level of acceptable vibration proposed. This should indicate the proposed acceptable level of vibration within Hamilton Dock to be agreed with HED (Historic Monuments). An agreed Vibration Monitoring Method Statement must be required via a specific condition on any planning approval (as per Condition 20 in Section 11 below), once levels of acceptable vibration have been agreed with HED (Historic Monuments) and the Council.
9.25	Any development within the scheduled area of the monument, including the installation of vibration monitors and the establishment of the pre-construction compound, would require Scheduled Monument Consent (SMC). The applicant has been involved in discussion with HED's Scheduling Team with respect to the necessary requirements for SMC. The matter has not been concluded as yet and hence there is an outstanding consultation from HED Historic Monuments Unit.
9.26	Subsequent to the resolution of the issues above, HED (Historic Monuments) would be content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works and vibration monitoring method statement, as outlined below at Conditions 21-23 in Section 11. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation <i>in situ</i> , as per Policy BH 4 of PPS 6 and as required by Policy BH 1 of PPS 6 in the case of the scheduled monument. The attached conditions would be appropriate in this case.
	Contaminated Land
9.27	Records held by Environmental Health Service indicate that the site of the proposed development is located on and in close proximity to land with a past land use that would have the potential to contaminate land and pose a risk to human health.
9.28	Environmental Health has reviewed the Preliminary Risk Assessment, Generic Quantitative Risk Assessment and Remedial Strategy submitted in support of the application and has requested that a number of conditions are attached should planning approval be granted. These conditions (6 and 7) are detailed at Section 11 of the report. The reports concluded that remediation in the form of gas protection commensurate with gas characteristic situation 2 (CS2) shall be necessary within the hotel development. Within the Remedial Strategy, RPS have proposed the following gas protection measures to provide a score of 2.5 for the Type C building:

	<ul style="list-style-type: none"> - Table 5 (BS 8485:2015+A1:2019) – Cast in situ ground-bearing floor slab (with nominal mesh reinforcement). - Table 7 (BS 8485:2015+A1:2019) – Gas resistant membrane.
9.29	<p>Preliminary Risk Assessment, Generic Quantitative Risk Assessment and Remedial Strategy reports have been provided by RPS Group Ltd in support of this application. Intrusive site investigations and monitoring have been undertaken in support of the GQRA and have identified potential risks to environmental receptors from contamination in the Made Ground and shallow groundwater beneath the site which could be mobilised by the development. The Remedial Strategy provided addresses the potential risks identified. On that basis DAERA Regulation Unit Land and Groundwater Team have no objections to the development provided condition Nos. 14, 15 and 16 are placed on any Planning Decision Notice should approval be forthcoming.</p>
9.30	<p>Impact on Protected Sites</p> <p>The application site is in close proximity to the following national, European and international designated sites;</p> <ul style="list-style-type: none"> - Outer Belfast Lough ASSI which is declared under the Environment Order (Northern Ireland) 2002; - Belfast Lough SPA, Belfast Lough Open Water SPA and the East Coast Marine pSPA all of which are designated under the EC Birds Directive (72/409/EEC on the conservation of wild birds); - North Channel SAC and the Maidens SAC which are designated under the EC Habitats Directive (92/43/EEC on the conservation of natural habitats and of wild fauna and flora); - Belfast Lough Ramsar Site which is designated under Ramsar Convention - Belfast Lough MCZ which is designated under the Marine Act (Northern Ireland) 2013
9.31	<p>DAERA Marine and Fisheries Division initially stated that in order to fully consider the potential impact of piling noise on protected species, the Preliminary Ecological Appraisal Report and CEMP should include an assessment of the potential impact of noise on marine mammals and where necessary include measures to avoid and mitigate impacts in the Environmental Management Plan.</p>
9.32	<p>In response additional information was submitted, including the following statements:</p> <p><i>The Maidens Special Area of Conservation (SAC) is located more than 30km to the northeast (of the site). Known seal haul out locations occur on the tips of both Stormont Wharf and Queen's Island and those locations are located 2km northeast and downstream of the site of the proposed development.</i></p> <p><i>Ground vibration arising from the piling activities will not directly affect any part of The Maidens SAC or its habitat features as it is located a great distance from it. The grey seal qualifying feature of the site comprises a population of mobile marine mammals that forage much further afield than The Maidens SAC marine waters and individuals of this population can travel to Belfast Lough and the River Lagan, and further still.</i></p>
9.33	<p><i>Land based continuous flight auger (CFA) piling is proposed as part of the construction of the proposed development. This type of piling causes very little vibration and is very suitable for sensitive sites. Piling will occur over a period not exceeding three months. It is also to be noted that the land based piling will be occurring more than 100m inland from the river. The piling will use a CFA technique, and ground vibration must travel through 100m+ of ground before the energy can pass through the soil/water interface to the River Lagan.</i></p>
9.34	<p>DAERA Marine and Fisheries Division acknowledge receipt of this information and are content that the use of Continuous Flight Auger Piling is unlikely to have a significant impact on marine mammals in the vicinity and in turn unlikely to have an impact on associated European Marine</p>

	Protected Areas. DAERA has requested that Condition No. 17 is attached to any decision notice to ensure there is no deviation from the proposed method of piling.
9.35	Shared Environmental Services (SES) were informed of DAERA's latest response and the additional information submitted in relation to the piling methods to be used.
9.36	This planning application was considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.
9.37	Having considered the nature, scale, timing, duration and location of the project SES has concluded that, provided the mitigation is conditioned, as per Condition Nos. 17 and 18 below, the proposal will not have an adverse effect on site integrity of any European site.
	Traffic and Parking
9.38	As stated above the site falls within Phase 2 of Titanic Quarter which is the subject of the outline planning approval (Z/2006/2864/O). As part of this approval a number of conditions were attached relating to trigger levels (in terms of trips) for wider roads infrastructural improvements.
9.39	Condition 23 of the outline planning approval stated that: <i>No more than one third of the development as defined in the Transport Master Plan (officer emphasis) (referred to in Condition No.2) shall be occupied or no part of the Titanic Signature Project shall become operational until a new grade separated junction on the Sydenham Bypass has been fully completed in accordance with detailed engineering drawings to be submitted to and approved by the Department. The works shall not prejudice the future provision of the A2 Sydenham Bypass widening scheme by the Department for Regional Development (DRD), as identified in dBMAP and BMTP. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance.</i>
9.40	The approved Transport Master Plan indicated a quantum of development for Phase 2 as follows: Residential – 2000 units Employment – 3700 sqm Leisure – 2300 sqm Tourism – 17800 sqm Support Services – 5500 sqm
9.41	The Transport Masterplan defined the total number of cumulative private vehicle trips as 5776 (one third of the Phase 2), with 1,329 of these trips attributed to the Tourism land use.
9.42	Paragraph 2.48 of the Transport Masterplan goes on to state that ' <i>It is envisaged that the tourism element of the Phase 2 development will comprise of the Titanic Signature Project with associated retail, community, leisure, cultural and entertainment uses (11300 sqm). The remaining 6500 sqm will incorporate the redevelopment of the Harland and Wolff HQ Administration Building and Drawing Offices</i> '. The supporting documentation provided by RPS points out that as part of the original Transport Masterplan it was therefore clear that the redevelopment of the H&W Drawing Offices was included within the number of trips attributed to the Tourism land use (1,239 daily trips).
9.43	Condition 23 (above) was then amended in March 2010 (Z/2010/0360/F) and read as follows:

	<p><i>'No more than the Titanic Signature Building and one fifth of other Phase 2 development as defined in vehicular trips in the Transport Master Plan (Updated by the Transport Master Plan Addendum bearing the date stamp 27 February 2012) (officer's emphasis) can become operational/ occupied until a new grade separated junction on the Sydenham Bypass has been fully completed in accordance with the detailed engineering drawings to be submitted to and approved by the Department. The works shall be not prejudice the future provision of the A2 Sydenham Bypass widening scheme by the Department for Regional Development (DRD), as identified in dBMAP and BMTP. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance'.</i></p>
9.44	<p>Although the number of trips remained the same as per the original outline condition, the amended condition allowed for the Titanic Signature Building to be constructed prior to the implementation of the grade separated interchange. The Transport Assessment accompanying the Amendment to Condition 23 stated that one fifth of Phase 2 development equates to 3447 vehicle trips. A third of the development (in terms of trips), as stated in the original condition, is the equivalent to the Titanic Signature Building and one fifth of Phase 2, as amended by the Article 28 application.</p>
9.45	<p>As stated in the supporting documentation, provided by RPS, it points to Paragraph 2.45 of the Transport Assessment (March 2010) which again states: 'It is envisaged that the tourism element of Phase 2 development will comprise of the Titanic Signature Project with associated retail, community, leisure, cultural and entertainment uses (11300 sqm). The remaining 6500 sqm will incorporate the redevelopment of the Harland and Wolff HQ Administration Building and Drawing Offices.</p>
9.46	<p>The supporting information submitted by RPS therefore concludes that in the updated Transport Masterplan it is clear that the redevelopment of the H&W Drawing Offices was included within the number of trips attributed to Titanic Signature Building, which in the updated Transport Masterplan was increased from 1,329 to 2,329 trips (The additional 1,000no. vehicle trips were added to the assessment to mitigate the opening of Titanic Signature Building, prior to an upgrade of the Connsbank Junction). On this basis, the approval for the Titanic Hotel (LA04/2016/0096/F) fell within the 2,329 trips and did not affect the trip capacity within the remainder, with sufficient capacity remaining to accommodate the proposal.</p>
9.47	<p>So if the total of the 5776 trips (as per amended condition 23), 2329 is given over the Titanic Signature Building and H&W Drawing Offices (as previously explained) and 2,543 to Olympic House, there remains 904 trips within the remainder of Phase 2.</p>
9.48	<p>Using the same trip rate and modal split applied for the Titanic Hotel (H&W Drawing Offices) RPS (Transport Consultants) has stated that the proposed hotel will generate 754 daily trips. If the cumulative impact of Olympic House (2,543) (approved in Phase 2) and this hotel (754), totalling 3,297 trips, there remains a capacity of 150 daily trips within the remainder of Phase 2 (3,447-3,297).</p>
9.49	<p>Therefore the proposal is in keeping with condition No.23 as amended, and the agreed Transport Masterplan for Titanic Quarter. The resultant traffic generation associated with the proposed hotel is within the threshold of one-fifth of Phase 2 Titanic Quarter development (implemented approvals and traffic generation associated with each development).</p>
9.50	<p>In terms of the impact on the existing road network it should be noted that hotels don't tend to add significant pressure during peak AM and PM flows given the nature of their checking in and checking out times. In terms of parking provision, the 100 space proposed internally, given the site's proximity to the city centre and Glider Route, is deemed acceptable for the proposed use. Although a response remains outstanding from DFI Roads for reasons stated above. Officer's find the proposal acceptable from a traffic and parking perspective.</p>

	<p>Flooding</p> <p>9.51 DfI Rivers Flood Maps (NI) indicates that the site is affected by the 1 in 200 year coastal plain. The proposal has therefore been assessed against Policy FLD1 of Revised Planning Policy Statement 15. No development is permitted within the 1 in 200 year coastal flood unless it is deemed to meet one of the exceptions listed within FLD 1. It is the remit of the planning authority to grant such an exception. It is considered that the proposal is an exception under part (b) of FLD1 in that the land is raised above the floodplain, it is not dependant on new coastal flood defences, it is not within an area likely to be at risk from coastal erosion and the elevation of development above the flood plain will not unduly disrupt the provision and ongoing delivery of essential services.</p> <p>9.52 Rivers Agency has reviewed the Flood Risk Assessment by RPS Consulting dated July 2019. DfI Rivers PAMU conclude that: a) All sources of flood risk to and from the proposed development have been identified; and b) There are adequate measures to manage and mitigate any increase in flood risk arising from the development”.</p> <p>9.53 The Flood Risk Assessment by RPS Consulting dated July 2019 provides evidence that the finished levels are in excess of the climate change levels + 600mm freeboard</p> <p>Impact on amenity</p> <p>9.54 <i>Odour</i> Environmental Health Service has reviewed the Odour Impact Assessment, dated July 2019 prepared by RPS group, and the Hotel Noise and Odour Clarifications, Dated October 2019, prepared by RPS Group.</p> <p>9.55 The Odour Impact Assessment report assessed the developments main kitchen and concluded that a high level odour abatement system will be required to provide adequate odour control for the main kitchen operation.</p> <p>9.56 High level odour control may include, as detailed by the guidance: <ol style="list-style-type: none"> 1. Fine filtration or ESP followed by carbon filtration (carbon filters rated with a 0.2- 0.4 second residence time) 2. Fine filtration or ESP followed by UV ozone system to achieve the same level of control as 1. </p> <p>9.57 The report has stated that preliminary design ideas are that the kitchen extract duct will rise from the kitchen vertically to above roof level in a purpose-built riser. A dedicated fresh air make-up system comprising a roof mounted air handling unit, with galvanised ductwork in the purpose-built riser will serve the make-up air requirements of the kitchen.</p> <p>9.58 The Odour Clarification Document has identified that cooking and food heating operations at additional areas within the Hotel development will have the potential to produce odours and have indicated that dedicated risers shall be made available to these additional food preparation areas which will enable them to connect to the extraction system and vents above roof level.</p> <p>9.59 Environmental Health has requested that Condition Nos. 12 and 13 are attached to any planning approval should planning permission be forthcoming.</p> <p>9.60 <i>Noise</i></p>
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9.61	In the preparation of the Noise Impact reports submitted with the application, RPS conducted a baseline noise survey across three sampling locations; on the development site, at the corner of the Arc apartments and at the corner of the site closest to the Titanic Quarter Offices.
9.62	The report used background measurements to establish the pre- development background noise level in the area of the proposed development.
9.63	Due to the location of the development, in close proximity to noise sensitive premises, and on consideration of the submitted Noise Report which stated that <i>“there is a clear need for appropriate mitigation measures to be in place during the construction phase”</i> Environmental Health Service has requested that Condition Nos. 10 and 11 are attached to the Decision Notice should Planning Permission be granted.
9.64	<p>Air Quality and other Environmental issues</p> <p>The Air Quality Impact Assessment has considered the existing air quality situation in the vicinity of the proposed development and examined potential impacts of the proposed development and indicates no significant change in traffic volumes as a result of the development. Moreover, the consultant has stated that the heating system and associated emissions for the proposed development are not likely to be significant.</p>
9.65	It is stated that the proposed heating system will be gas fired modular condensing boilers model GB162 by Worcester Bosch (or similar) the flue of which will terminate 1m above roof level.
9.66	Based on the above information, current air quality levels in the vicinity of the development and the distance to the relevant receptors, Environmental Health Service has no concerns regarding the air quality impacts of the development proposal and has requested that Condition No. 8 is attached to any permission should planning approval be granted.
9.67	<p>The consultant has also assessed the anticipated impact of construction phase of the proposed development in accordance with the <i>IAQM Guidance on the Assessment of Dust from Demolition and Construction 2014</i>. The consultant has predicted that without implementation of any mitigation measures the overall dust impact risk is ‘medium– low’.</p> <p>However, with implementation of appropriate mitigation measures set out within Appendix B of AQIA, the dust effect is predicted to be insignificant. Environmental Health has therefore requested that Condition No. 9 is attached to any planning approval.</p>
9.68	<p>Pre-application Community Consultation</p> <p>For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p>
9.69	Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A Proposal of Application Notice (PAN) LA04/2019/0589/PAN was submitted to the Council on 13 th March 2019.
9.70	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.
9.71	A Pre Application Community Consultation Report has been submitted in support of this application. The Report has confirmed the following:

9.72	The Public Consultation Event took place in Titanic Belfast, on 9 th May 2019. This event was advertised in the Belfast Telegraph on 1 st May 2019.
9.73	Information leaflets were issued to properties in the vicinity of the site including Arc Residents Association, East Belfast Partnership, East Belfast Community Development Association, Titanic Foundation, Titanic 'Users' Group, Short Strand Community Group and Inner East Neighbourhood Renewal Partnership. This included details of the public event at Titanic Hotel.
9.74	The PAN was circulated to a number of local Councillors and MLAs.
9.75	25 people took part in the public exhibition with 11 providing feedback. There was general support for the scheme, the principal of enhancing Belfast's status as a tourist destination and investment in Titanic Quarter, with concerns raised about the pressures on the existing roads infrastructure, impact on views of Titanic Hotel and whether a hotel was the best use of this space. Other comments included the importance of design to maintain connectivity between Titanic Hotel and SS Nomadic, the need for infrastructural improvements in advance of the development and queries relating to the construction management plan.
9.76	<p>In response to these comments the agent made the following points in the Pre-application Community Consultation Report:</p> <ul style="list-style-type: none"> - The highway network can accommodate the proposal without any off-site mitigation works. Access arrangements established through previous planning approvals. Hotels, by their nature, tend to peak outside the traditional commuter peak hour periods. - The principle of the hotel is acceptable in that the site benefits from a number of approvals (4-6 storey building at this location in the outline masterplan approval and Full approval for a hotel Ref Z/2009/1260/F). - Planning history of hotel approval on site with a demand for a hotel at this location. - Landscaped public realm will complement existing public realm. Existing pedestrian routes located around the Hamilton Graving Dock, SS Nomadic and Titanic Belfast will be retained and enhanced. - The application was supported by an Outline Construction Environmental Management Plan that outlines how construction will be appropriately managed.
9.77	It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
10.0	Summary of Recommendation: Approval
10.1	Having regard to the policy context and other material considerations above, including the planning history on the site, the proposal is considered acceptable and planning permission should be approved for the following reasons.
10.2	The principle of built form of a scale similar to that proposed has been established through the outline masterplan approval, which remains live until June 2020. This committed to a mix of uses around the Hamilton Dock in 4-6 storey high buildings. Full planning permission was granted for a hotel on the site in July 2010. The proposal is broadly in keeping with the form approved on the site as part of the outline approval, and is very similar in terms of scale and massing to the hotel approved on the site in 2010.
10.3	HED have raised no objections in terms of the setting of the adjacent Harland and Wolff Drawing Offices. The contemporary built form takes design cues from the adjacent listed H&W Drawing Offices and is complimented by a comprehensive public realm scheme which promotes connectivity to the wider Titanic Quarter and will enhance the areas appeal as a tourist attraction.

10.4	It is recommended that planning permission is granted subject to conditions and it is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions given the outstanding response from DFI Roads.
11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The structure shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition within 5 years from the date of this permission. Reason: In the interests of visual amenity. 2. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for: <ul style="list-style-type: none"> - The identification and evaluation of archaeological remains within the site; - Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ; - Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and - Preparation of the digital, documentary and material archive for deposition. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 3. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition No. 2 above. Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded. 4. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition No. 02 above. These measures shall be implemented and a final archaeological report shall be submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council. Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition. 5. No site works or development of any nature shall take place until a Vibration Monitoring Method Statement for monitoring the structure of Hamilton Dock during construction works has been approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. Reason: To protect the structure of Hamilton Dock from unacceptable levels of vibration during construction. 6. In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease until a written report detailing the

nature of this contamination and its management has been submitted to and agreed in writing by the Planning Service. The investigation, risk assessment and if necessary remediation work, must be undertaken and verified in accordance with current best practice.

Reason: Protection of human health.

7. Prior to the occupation or operation of the proposed development, the applicant shall provide to and have agreed in writing by the Planning Service, a Verification Report. This report must demonstrate that the remediation measures outlined in the RPS Group Plc report entitled Hamilton Dock Hotel, Remedial Strategy Report, dated July 2019 and referenced IBR1144, have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current British Standards and CIRIA industry and Environment Agency guidance. In particular, this Verification Report must demonstrate that:

- a) Gas protection measures commensurate with the Characteristic Situation 2 classification have been provided in the development in line with the requirements of BS 8485:2015+A1:2019. Independent verification of the gas protection measures installed have been completed in accordance with CIRIA C735.

Reason: Protection of human health.

8. Combustion plant shall meet the technical specification (low NOx technology) as indicated within *chapter 4.1.4 Air Quality Impact Assessment, Hamilton Dock Hotel, Titanic Quarter (June 2019)*. Moreover, the flue of any combustion plant must terminate 1m above roof level. Prior to occupation of any part of the development, a verification report, demonstrating that the plant meets these specifications, will be submitted to, and approved in writing by Belfast City Council.

Reason: In the interests of amenity and environmental protection.

9. Prior to commencement on site, a dust management strategy that includes the mitigation measures outlined within Appendix B of *Air Quality Impact Assessment (AQIA), Hamilton Dock Hotel, Titanic Quarter, RPS (June 2019)* shall be submitted to, and approved by the Council. The mitigation measures within the approved strategy shall be implemented during any demolition or construction works.

Reason: Protection of human health.

10. All demolition and construction activities shall be undertaken in line with best practice guidance. Demolition and construction activities shall pay due regard to the current standards; BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014 A2: Noise and Vibration Control on Construction and Open Sites.

Reason: To protect amenity and human health.

11. The plant and equipment associated with the development hereby permitted, shall be selected and designed so as to achieve a rating level (LAR) no greater than the Background LA90 both during the daytime and during night time when measured or determined at the nearest noise sensitive premises. All measurements and calculations

must be conducted in line with the methodology outlined in BS4142:2014 Methods for rating and assessing industrial and commercial sound.

Reason: To protect human health and the amenity of nearby premises.

12. Prior to the operation of the hotel food preparation areas, the odour abatement systems detailed within the RPS Odour Abatement Assessment and Clarification Letter shall be installed. The systems shall terminate at the kitchen extract vents 1m above the roof top plant room, as detailed in Figure 1.3 of the Odour Impact Assessment Report ref: NI2048 dated July 2019 prepared by RPS group.

Reason: In the interests of amenity.

13. The approved extraction and ventilation system must be cleaned and maintained in accordance with Manufacturers' instructions and be retained thereafter.

Reason: In the interests of amenity.

14. The development hereby permitted shall not be occupied until the remediation measures and groundwater monitoring as described in the RPS Remedial Strategy report, Hamilton Dock Hotel Ref. IBR1144 v1.0 dated July 2019 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.

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

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

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

16. After completing the remediation works under Conditions 1 and 2; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).

The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

17. Piling on site shall be limited to Continuous Flight Auger Piling

Reason: to avoid impacts on protected marine mammals and to prevent any adverse effect from noise/vibration pollution to marine mammal features of North Channel SAC and The Maidens SAC.

18. A final Construction Environmental Management Plan (CEMP) must be submitted to the Planning Authority and NIEA Water Management Unit at least 8 weeks prior to the commencement of works on site. The CEMP should detail all mitigation measures as detailed within pgs. 7, 11, 16-23, 27-28, 31-39 and Appendix A of the outline CEMP to be employed to minimise the risk of pollution to the waterways. The CEMP should also include: Evidence of the appointment of an ECoW on site throughout the construction phase.

Reason: To ensure that the appointed contractor is cognisant of all mitigation and avoidance measures required to protect the downstream aquatic environment, thus ensuring that there is no adverse effect on site integrity of Belfast Lough Ramsar/SPA, Belfast Open Water SPA, East Coast Marine Proposed SPA, North Channel SAC and The Maidens SAC.

19. Prior to the commencement of development, samples will be made available for inspection on site and will be approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure the proposal is in keeping with the character of the area.

20. No site works or development of any nature shall take place until a Vibration Monitoring Method Statement for monitoring the structure of Hamilton Dock during construction works has been approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities.

□ Reason: To protect the structure of Hamilton Dock from unacceptable levels of vibration during construction.

21. No site works of any nature or development shall take place until a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted by the applicant and approved in writing by Belfast City Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:

- The identification and evaluation of archaeological remains within the site;
- Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;
- Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and
- Preparation of the digital, documentary and material archive for deposition.

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

22. No site works of any nature or development shall take place other than in accordance with the programme of archaeological work approved under condition

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

23. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under condition 21. These measures shall be implemented and a final archaeological report shall be

submitted to Belfast City Council within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with Belfast City Council.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

24. All soft and hard landscaping incorporated in the stamped approved landscape plan, Drawing No. 31/B bearing BCC date stamp 20th December 2019, shall be completed in accordance with these plans and the appropriate British Standard or other recognised Codes of Practice in the first available planting season following commencement of the development or before occupation of the first residential unit in the development, whichever is the later.

Reason: To ensure the provision of a high standard of landscape and adequate amenity space.

25. If within a period of 5 years from the date of the planting of any tree, that tree is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To ensure the maintenance of a high level of landscaping.

26. Maintenance and management of the open space and landscaped areas as shown on Plan No. 31/B date stamped 20th December 2019, shall be carried out in accordance with the Paul Hogarth Company 'Landscape Management Plan' date stamped 13th November 2019. Any variations to these management arrangements shall be submitted to the Council for approval.

Reason: To ensure successful establishment and maintenance of the open space and amenity areas in the interests of visual and residential amenity.

27. The proposed public realm works, as shown on approved plan Nos. 31/B, dated 20th December 2019 and Nos. 32/A, 33/A, 34/A, 35/A and 36/A date stamped 13th November 2019, shall be carried out prior to the occupation/ operation of any part of the development hereby approved.

Reason: To ensure the provision of a high quality of landscaping and public realm.

Informatives

1. For guidance on the preparation of the archaeological programme of works, contact:
Historic Environment Division
Ground Floor
9 Lanyon Place
Belfast
BT1 3LP
Tel: 02890 823100
Quote reference: SM11/1 DOW 004:501
LA04/2019/1636/F
2. Application for the excavation licence, required under the *Historic Monuments and Archaeological Objects (NI) Order 1995*, 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)
 Ground Floor
 9 Lanyon Place
 Belfast
 BT1 3LP

3. Please refer to the HED guidance document [Development and Archaeology: Guidance on Archaeological Works in the Planning Process](#) which contains advice on how to fulfil the requirements of the archaeological conditions attached to your planning approval.
4. Artificial flood lighting design should ensure residents are not disturbed by light nuisance. All artificial lighting connected with the development should follow the recommendations within the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN0L:2011
5. The applicant is advised to ensure that all plant and equipment associated with the development is so situated, operated and maintained as to prevent the transmission of noise, vibration, dust, odour and fumes to nearby premises.
6. Disturbance by noise is a material consideration in the granting of any Entertainment Licence deemed necessary by Belfast City Council.
7. The applicant is further advised that 'Medium Combustion Plant' may require authorisation as a consequence of the transposition of the Medium Combustion Plant Directive into Northern Ireland legislation via the Pollution Prevention and Control (Industrial Emissions) (Amendment) Regulations (Northern Ireland) 2018. This Legislation is enforced by the Northern Ireland Environment Agency and Local Authorities. The relevant statutory body for this plant will contact the applicant with details of the authorisation process in due course.
8. The applicant should note discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required for site drainage during both the construction and operational phases of the development.
9. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The applicant must refer and adhere to the relevant precepts in DAERA Standing Advice Discharges to the Water Environment.
10. Water Management Unit has issued a number of discharge consents for site drainage in the vicinity of this proposal. Should the applicant intend utilising one of these existing consents then they should note the circumstances outlined in DAERA Standing Advice Discharges to the Water Environment that means a review of any existing consent is required. Water Management Unit recommends the applicant contact the local consenting officer (028 9056 9221) at their earliest convenience to discuss the statutory permissions required for this development.
11. Should the water table to be encountered during these works In accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (as amended) it is a mandatory requirement that upon the abstraction and/or diversion and/or impoundment of water from the natural river channel/lake, coastal or groundwater sources, an abstraction/impoundment licence should be obtained unless the operations specified are Permitted Controlled Activities. The applicant should refer

and adhere to the precepts contained in DAERA Standing Advice Abstractions and Impoundments.

12. The discharge of water from a dewatering operation will require consent to discharge, under the Water (Northern Ireland) Order 1999. The applicant should refer and adhere to the relevant precepts contained in DAERA Standing Advice Discharges to the Water Environment.
13. The purpose of the Conditions 14 – 16 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks
14. The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste and Contaminated Land (Northern Ireland) Order 1997, the Waste Management Licensing Regulations (Northern Ireland) 2003 and the Water Order (Northern Ireland) 1999.
15. DAERA Regulation Unit recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.
16. The applicant's attention is drawn to the fact that the site is in close proximity to the boundary of several European Marine Protected Areas and precautions should be taken to ensure its integrity will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring within the designated site but outside the red line planning application boundary are subject to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and require consent from the Northern Ireland Environment Agency, Conservation, Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA.
17. The applicant's attention is drawn to the fact that the site is in close proximity to the boundary of Belfast Lough Marine Conservation Zone (MCZ) and precautions should be taken to ensure its integrity and the animals residing within, will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring outside the red line planning application boundary are subject to the Marine Act (Northern Ireland).
18. The applicant's attention is drawn to the fact that the site is in close proximity to the boundary of Belfast Lough Area of Special Scientific Interest (ASSI) and precautions should be taken to ensure its integrity will not be damaged by construction vehicles, deposited materials, contaminated run-off, or any other activity during the construction period or thereafter. Any works occurring outside the red line planning application boundary are subject to the Environment (Northern Ireland) Order 2002 (as amended), which makes it an offence to carry out operations likely to damage an ASSI without prior permission from the Northern Ireland Environment Agency, Conservation, Designations and Protection Unit, Klondyke Building, Gasworks Business Park, Belfast BT7 2JA. The maximum penalty for offences is £20,000. In addition to a fine, offenders may be liable for the costs of restoring the damaged area to its original condition.

	<p>19. The applicant's attention is drawn to Article 15 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence if any person releases or allows to escape into the wild any animal which—</p> <p>a) is of a kind which is not ordinarily resident in and is not a regular visitor to Northern Ireland in a wild (or is a hybrid of any animal of that kind), or</p> <p>b) is included in Part I of Schedule 9 (or is a hybrid of any animal included in that Part), he shall be guilty of an offence.</p> <p>20. The applicant's attention is drawn to regulation 34 of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), which states that it is an offence to deliberately capture, injure or kill a wild animal of a European Protected Species included in Schedule 2 to these Regulations. This includes all species of dolphins, porpoises and whales and the marine turtle species.</p> <p>21. Due to the location of the proposed development, the airport requires that any landscape planting included in the design is such that does NOT include species which produce berries/seeds as these could be a bird attractant, a hazard to aircraft.</p> <p>22. 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.</p>
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member None
	Neighbour Notification Checked Yes
	Signature(s)

ANNEX	
Date Valid	5th July 2019
Date First Advertised	9th August 2019
Date Last Advertised	9th August 2019
Details of Neighbour Notification (all addresses) 01 -39,10 Queens Road,Antrim,Down,BT3 9DT 2i The Arc, Apartment 9.33, Queens Road, Belfast, Down, Northern Ireland, BT3 9FL 76, Loopland Park, Belfast, Down, Northern Ireland, BT6 9DZ 9 Queens Road,Queen'S Island,Belfast,Down,BT3 9DT Apartment 9.33 2i The Arc Queens Road Belfast Belfast Metropolitan College,7 Queens Road,Belfast,Down,BT3 9DT Part Ground & First,6-8 Titanic House,Queens Road,Queen'S Island,Belfast,Down,BT3 9DT Titanic Belfast,Olympic Way,Queen'S Island,Belfast,Down,BT3 9EP Titanic House,6 Queen's Road,Belfast,BT3 9DT	
Date of Last Neighbour Notification	12 th December 2019
Date of EIA Determination	20 th August 20119
ES Requested	No
Drawing Numbers 01, 04, 05, 06, 07, 08, 09, 10/B, 11/A, 12, 13/A, 14/A, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31/B, 32/A, 33/A, 34/A, 35/A, 36/A, 37/A, 38/A, 39/A, 40/A	
Notification to Department (if relevant) No Date of Notification to Department: Response of Department:	