

Development Management Officer Report Committee Application

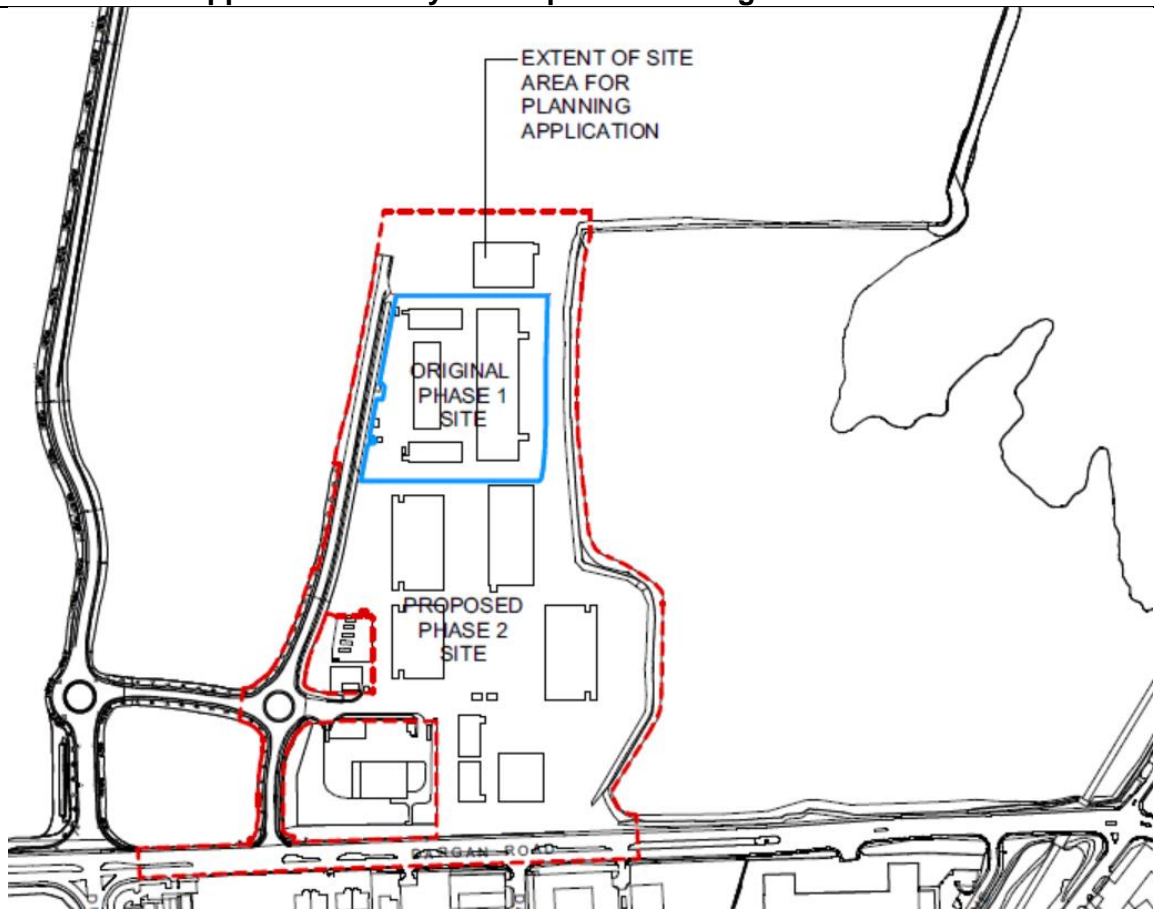
Summary	
Committee Meeting Date: Thursday 19 August 2021	
Application ID: LA04/2021/1358/F	
Proposal: Section 54 application seeking amendments to condition Nos 2 (access), 7, 13, 20 (CEMP), 9, 10, 15, 16, 19 (ground conditions), 12 (noise/vibration), 17 (piling risk), 21 (drainage), 27 (landscaping) to enable a phased approach to the construction of the permitted film studios complex approved under planning permission LA04/2020/0474/F. [amended condition wording]	Location: Lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park).
Referral Route:	Major Application
Recommendation:	Approval
Applicant Name and Address: Belfast Harbour Commissioners Harbour Office Corporation Square Belfast BT1 3AL	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: <p>The proposal seeks permission under Section 54 of the Planning Act (Northern Ireland) 2011 to vary several conditions to allow for a phased construction of Planning Application approval LA04/2020/0474/F (see Annex B for committee report of original approval).</p> <p>The site is un-zoned “white land” within the Belfast Area Urban Plan (BUAP) 2001. It is located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP) with a number of relevant zonings:</p> <ul style="list-style-type: none"> - Within BHA 07 Employment and Industry North Foreshore - Within an Area of Mineral Constraint - Adjacent to a National Designated Site (Inner Belfast Lough Area of Special Scientific Interest); - Adjacent to two European Designated Sites – Belfast Lough Special Protection Area (SPA) and Belfast Lough Open SPA; - Adjacent to an International Designated Site Belfast Lough Ramsar Site - Adjacent to BHA10 Local Landscape Policy Area (LLPA) <p>NIEA, Environmental Health, DfI Roads and Rivers were consulted in relation to the amended wording of conditions. It has been agreed with the applicant that Condition No 8 does not require amendment as a separate application has been made to discharge that condition for the site in its entirety. All consultees are content with the phased approach.</p>	

The proposed development is estimated to represent an investment of £45m, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs and it is considered that the variation of conditions to assist this investment is acceptable.

Having regard to the Development Plan, and other material considerations, the proposed amendment to the conditions of the approved development is considered acceptable. It is recommended that planning permission is granted subject to conditions with delegated power given to the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan/Approved Site Layout/Proposed Phasing Plan



Characteristics of the Site and Area	
1.0	<u>Description of Proposed Development</u>
1.1	<p>The proposal seeks full permission to vary several conditions of the previous approval. This includes:</p> <ul style="list-style-type: none"> • Condition 2 (access), • Conditions 7, 13, 20 (CEMP), • Conditions 9, 10, 15, 16, 19 (ground conditions), • Condition 12 (noise/vibration), • Condition 17 (piling risk), • Condition 21 (drainage) and, • Condition 27 (landscaping)
1.2	This is proposed in order to allow the approved development to be brought forward in three phases, should investors wish to do so.
1.3	In all cases, the amended wording includes reference to the submitted phasing plan. Full details of the amendments is provided in Annex C.
2.0	<u>Description of Site and Area</u>
2.1	The area of the site is 10.5 hectares and was part of the former Dargan Landfill Site. The landfill site was closed in March 2007 and was subject to capping following completion of landfill operations on the area.
2.2	The site is part of the wider North Foreshore Giant's Park. The wider site has been landscaped in the interim years with land directly south of the application site developed for a Belfast City Council Waste Electrical and Electronic Equipment (WEEE) transfer station and a (landfill) gas powered electricity generating turbine complex.
2.3	Access to the site is via the existing internal road infrastructure off Dargan Road which has been upgraded with a signalised junction.
2.4	The application site is on low-lying ground and is located immediately adjacent to Belfast Lough. The area to the north of the site is described as the northern zone of the North Foreshore land and is the area of most recent cessation of landfill operations. This area of land slopes upwards to the north. The area to the south and east of the site consists of industrial and commercial buildings that contrast to the dominant residential use west of the M2 / Shore Road. There is an established woodland strip along the western North Foreshore boundaries which provides a landscape buffer and protection from the Motorway.
Planning Assessment of Policy and other Material Considerations	
3.0	<u>Planning History</u> Full details of all historical applications are provided at Annex A. Of particular relevance to this site are the following:
3.1	<p>Ref ID: LA04/2020/0474/F</p> <p>Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works.</p>

3.2	<p>Address: Lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park). [Amended address], Decision: Permission Granted Decision Date: 19.08.2020</p> <p>Ref ID: LA04/2019/1612/PAN Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing & access from existing internal access road, landscaping and associated site works. Address: Lands immediately north & south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park)., Decision: PAN Acceptable Decision Date: 31.07.2019</p>
3.3	<p>Ref ID: LA04/2019/1540/F Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works. Address: Lands to the northwest of existing Belfast City Council Waste Transfer Station, (2a Dargan Road, Belfast, BT3 9JU). Decision: Application under consideration.</p>
3.4	<p>Ref ID: LA04/2015/1605/F Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan Decision: Permission Granted Decision Date: 25.02.2016</p>
3.5	<p>Ref ID: LA04/2015/0982/PAN Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows; Production (37,450 sq ft.) Stage 01 & stage 02 (66,000 sq ft.) Stage 03 (45,000 sq ft.) Workshop 01, 02 & 03 (46,170 sq ft.) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility), adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park), Decision: PAN Acceptable Decision Date: 15.12.2016</p>

3.6	<p>Ref ID: Z/2014/1279/F</p> <p>Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works</p> <p>Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast.</p> <p>Decision: Permission Granted</p> <p>Decision Date: 24.04.2015</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP)</p> <p>Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015)</p> <p>Draft Belfast Metropolitan Plan 2004</p>
4.2	<p>Regional Development Strategy</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPSS)</p> <p>Planning Policy Statement 2 (PPS 2) – Planning and Nature Conservation</p> <p>Planning Policy Statement 3 (PPS 3) - Access, Movement and Parking</p> <p>Planning Policy Statement 4 (PPS 4) – Planning and Economic Development</p> <p>Planning Policy Statement 13: Transportation and Land Use</p> <p>Planning Policy Statement 15 (Revised) (PPS 15) - Planning and Flood Risk</p>
5.0	<p><u>Statutory Consultees</u></p> <p>DfI Roads – no objections in principle, subject to conditions</p> <p>Rivers Agency – no objection subject to condition</p> <p>NIEA Natural Heritage – no objections</p> <p>NIEA Land, Soil, and Air – no objections</p>
6.0	<p><u>Non-Statutory Consultees</u></p> <p>Environmental Health BCC – no objections subject to conditions</p>
7.0	<u>Representations</u>
7.1	No representations were received.
8.0	<u>ASSESSMENT</u>
8.1	<u>Development Plan</u>
8.1.1	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.
8.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it 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. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
8.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies

	relating to Sprucefield Shopping Centre, dBMAP 2015 is considered to hold significant weight.
8.1.4	The PAC report (independent examination) recommended that Zoning BHA07 and Proposal BHA19 be deleted from the Plan and replaced by a new mixed use zoning BHA07. The Key Site Requirements (KSR's) are broadly similar to those in the draft plan and are detailed under Sections 9.2.3 – 9.2.10.
8.2	<u>The principle of phased development of the approved scheme</u>
8.2.1	The proposal has been split into three phases to bring forward the various studios, workshops and vendor villages. The landscaping associated with each phase is clearly marked on the proposed phasing plan and all accesses are undertaken as part of Phase 1. It should be noted that the boundary line for the proposed Phase 1 partially bisects the building labelled SS5. Revision C of the 'Proposed Site Plan' drawing notes that the position of the phasing line at this location indicates the ground works associated with the Phase 1 site levels and that the SS5/SS6/O3 building will in fact be delivered in Phase 2.
8.3	<u>Economic Considerations.</u>
8.3.1	Whilst it is preferred to consider phasing at the initial application stage, given the level of investment this development can potentially bring forward, the applicant states this will assist in securing investors.
8.4	<u>Traffic, Movement and Parking</u>
8.4.1	DFI Roads have no objection to the application subject to condition, noting that site splays and accesses are all provided under the first phase.
8.6	<u>Contaminated Land</u>
8.6.1	Both NIEA and Environmental Health were consulted as part of this application. NIEA provided a response of no objections. The Environmental Health team required further clarification with regards to ground gas management and have now provided a response of no objections subject to conditions. These condition wordings have been agreed with the applicant via their agent.
8.7	<u>Noise and Vibration</u>
8.7.1	Both NIEA and Environmental Health Service are content that the conditions can be reworded to permit phasing.
8.8	<u>Site Drainage/Flood Assessment</u>
8.8.1	Rivers Agency were consulted and have no objections subject to conditions.
8.9	<u>Natural Heritage</u>
8.9.1	NIEA, Natural Environment Division (NED) were consulted and have no objections subject to conditions
8.10	<u>Statutory Consultation</u>
8.10.1	The scheme was first advertised on 16 th June 2021 and readvertised on 22 nd July 2021. Neighbour notifications were initially issued on 16 th June 2021 and re-notified of amendments to the scheme on 14 th July 2021.

<p>8.11 8.11.1</p>	<p><u>Conclusion</u></p> <p>The proposal to vary conditions 2 (access), 7, 13, 20 (CEMP), 9, 10, 15, 16, 19 (ground conditions), 12 (noise/vibration), (piling risk), 21 (drainage) and 27 (landscaping) to allow the phasing of the development is considered reasonable and acceptable. There are no technical objections to the application. Having regard to the planning policy context, the variation of conditions is considered acceptable.</p>
<p>10.0 10.1</p>	<p>Summary of Recommendation:</p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable.</p> <p>The variation of conditions will create a new standalone planning permission and it will be necessary to repeat the conditions on the original permission, subject to the variations granted by this decision. It is recommended that planning permission is granted subject to conditions with delegated power given to the Director of Planning and Building Control to finalise the wording of conditions.</p>
<p>11.0 11.1 11.2 11.3 11.4</p>	<p>Proposed Conditions:</p> <p>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before 13th August 2025.</p> <p>Development in any particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, shall not become operational until the vehicular access, including visibility splays and any forward sight distance associated with each sub phase are provided in accordance with Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</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> <p>No part of the development hereby permitted shall become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1' published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard-surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles. A minimum of 4% of parking shall be for disabled users and will be close to building accesses.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p> <p>The development hereby permitted shall not become operational unless a minimum of 20 no. secure covered cycle parking stands have been provided close to the accesses to the proposed development for use by staff and visitors to the development. These spaces shall be permanently retained.</p>

	Reason: To encourage the use of alternative modes of transport for development users.
11.5	<p>The development hereby permitted shall operate at all times in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 03 March 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. This Travel Plan must be issued as a standalone document and the measures contained within must be monitored and assessed from the inception of the Plan on a minimum of an annual basis to ensure the Plan's effectiveness.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.6	<p>The rating level (dBLAr,Tr) for the combined operation of all plant and equipment associated with the phase 2 development of the Belfast Harbour Studios must not exceed existing daytime and night-time background noise levels of 59 dB (LA90,T) and 48 dB (LA90,T) respectively at the nearest noise sensitive premises when measured or determined in accordance with the requirements of BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</p> <p>Reason: Protection of amenity against adverse impact.</p>
11.7	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021 until the Construction Environmental Management Plan for that sub-phase in its entirety has been submitted to and approved in writing by the Council. This Plan must outline the methods to be employed to minimise any environmental impacts during site preparation and construction works, demonstrating the use of best practicable means. All site preparation and construction works thereafter must be carried out in accordance with the approved Construction Environmental Management Plan.</p> <p>Reason: Protection of human health and the environment and amenity of nearby premises.</p>
11.8	<p>The development hereby permitted shall not commence unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment should consider the information presented in the RSK Environment Ltd report entitled 'Belfast Harbour Commissioners, Proposed Film Studio Complex, North Foreshore, Belfast, Preliminary Risk Assessment' (dated 24th February 2020 and referenced 602462-1(00)). The Quantitative Risk Assessment must be conducted in accordance with Environment Agency guidance and must incorporate:</p> <ul style="list-style-type: none"> - A detailed site investigation in line with BS 10175:2011+A2:2017. Ground gas investigations should be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019. - A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in accordance with Environment Agency guidance. Risks associated with ground gases should be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665. <p>Reason: Protection of human health.</p>
11.9	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a detailed Remediation Strategy for that sub-phase in its entirety has been submitted to and approved in writing by the Council. The Remediation Strategy must demonstrate how the pollutant linkages identified within the agreed Quantitative Risk Assessment are to be demonstrably broken and no longer pose a potential risk to human health. The Strategy must also detail how the proposed remedial works are to be verified. The detailed Remediation Strategy</p>

	<p>must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance, and must meet the requirements of the Belfast City Council North Foreshore Developer's Guidance Note.</p> <p>Reason: Protection of human health.</p>
11.10	<p>Development in any particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, shall not become operational unless a Verification Report, demonstrating that all required remedial measures have been incorporated for that sub-phase in its entirety, has been submitted to and approved in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed detailed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p>
11.11	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works must cease and the Council must be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p>
11.12	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a Construction Noise Vibration and Dust Management Plan (CNV&DMP) for that sub-phase in its entirety has been submitted to and approved in writing by the Council. The Plan must outline the methods to be employed to minimise any noise and vibration associated with construction operations, demonstrating the use of 'best practicable means'. The plan must have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014, Code of practice for noise and vibration on construction and open sites. All construction works thereafter must be carried out in accordance with the approved CNV&DMP.</p> <p>Reason: Protection of amenity of nearby premises.</p>
11.13	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a Final Construction Environmental Management for that sub-phase has been submitted to and approved in writing by the Council. This shall reflect all the mitigation and avoidance measures detailed in the outline CEMP, Artificial Lighting Assessment, Drainage Assessment and HRA carried out by RPS on behalf of Belfast Harbour Authority. The Final CEMP for each sub-phase must confirm details of the chosen piling method. If this differs from the method detailed in the HRA then an assessment of impact to marine mammals shall be included. The Final CEMP for each sub-phase should reflect the recommendations of NIEA: NED in its consultation response 17/04/20. The approved CEMP for each sub-phase shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing with by the Council.</p> <p>Reason: To ensure that the appointed contractor undertaking the work is fully appraised of all the risks associated with the proposal and to provide effective mitigation ensuring there</p>

	are no adverse impacts on the integrity of Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA, East Coast (NI) Marine proposed SPA or to mobile features associated with North Channel SAC or The Maidens SAC.
11.14	<p>The development hereby permitted shall not commence unless detailed proposals for landscape planting along the shoreline of Belfast Lough, between the proposed development and the rock armour revetment have been submitted to and approved in writing by the Council. The detailed design must incorporate the comments of NIEA NED in its response dated 17/04/20. Landscape planting must not extend to the edge of the revetment and a gap of at least 3m should be maintained as a buffer zone for roosting birds. As permanent screening by landscape planting will not be immediately functional, some form of temporary physical screening must be included in proposals to be put in place during the early stages of the operational phase until the plants have reached a suitable height and density to form an effective screen.</p> <p>The landscape proposals shall be installed prior to operation of the development hereby permitted and shall be permanently retained thereafter.</p> <p>Reason: To prevent adverse impacts to SPA features through visual disturbance.</p>
11.15	<p>No development shall commence in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, unless suitable risk assessments and supporting data have been submitted to and approved in writing by the Council. These shall identify all unacceptable risks to health and the water environment in each sub-phase. The investigations shall include, but not be restricted to:</p> <ul style="list-style-type: none"> • Identifying all potential contaminant sources within the planning boundary. • Site investigations and groundwater monitoring designed and implemented in accordance with British Standard BS 10175:2011 + A2:2017 – ‘Code of practice for investigation of potentially contaminated land sites’ to identify the contamination risks associated with the potentially contaminating activities which took place at this site or in the surrounding area. • Provision of risk assessment(s) in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks to identify all unacceptable risks to health and the water environment and provision of remedial criteria to be met through a remedial strategy. These works are required to ensure that the land will be in a condition suitable for the development. <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>
11.16	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a detailed Remediation Strategy, addressing all unacceptable risks to receptors identified at Condition 15 for that sub-phase, has been submitted to and approved in writing by the Council. This must identify all unacceptable risks, the remedial objectives / criteria and the measures which are proposed to mitigate them (including maps / plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program etc.).</p> <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>
11.17	<p>No development shall commence in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, unless a Piling Risk Assessment for that sub-phase has been submitted to and approved in writing by the Council. Piling risk assessments must be undertaken in accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution</p>

	<p>Prevention", available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0202bisw-e-e.pdf 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.</p>
11.18	<p>If during the development works, new contamination and risks to the water environment are encountered which has not previously been identified, works within the immediate area of the find should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.19	<p>After completing any remediation works required under Conditions 15-18, and prior to the operation of each sub phase a Verification Report for each sub-phase shall be submitted in writing and agreed with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.20	<p>No development shall commence in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, unless a Final Construction Environmental Management, detailing all Pollution Prevention measures, for that sub-phase has been submitted to and approved in writing by the Council. NIEA Water Management Unit require the CEMP at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p>
11.21	<p>No construction of the development hereby permitted shall commence in a particular sub-phase, unless a Final Drainage Assessment, compliant with Annex D of PPS 15, for that sub-phase has been submitted to and approved in writing by the Council.</p> <p>Reason: To safeguard against flood risk to the development and elsewhere.</p>
11.22	<p>All existing trees within the site as detailed on the stamped approved drawing No. 58A, and published by the Council on 2nd July 2020 shall be retained. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved details, without the written consent of the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
11.23	<p>If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the occupation of the development hereby approved, another tree or trees shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified by the Council.</p>

11.24	<p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>Any demolition and removal of existing hard surfaces within the Root Protection Areas of existing trees to be retained, shall be carried out in accordance with recommendations outlined in part 7 of British Standard 5837: 2012 'Trees in relation to design, demolition and construction : Recommendations' where this encroaches within the root protection area of any existing tree.</p>
11.25	<p>Reason: To avoid damage to existing trees.</p> <p>Where construction is proposed within the Root Protection Area (RPA) of existing trees, careful hand digging will be employed with extreme care being taken not to damage tree roots and tree stems within the Root Protection Areas of all trees to be retained. Mini-pile / post foundations or equivalent shall be used in the construction of any boundary fence.</p>
11.26	<p>Reason: To avoid root severance of existing trees.</p> <p>No construction of the development hereby permitted shall commence unless protective barriers (fencing) and ground protection have been erected / installed as specified in British Standard 5837: 2012 'Trees in relation to design, demolition and construction Recommendations' (Section 6.2) on all trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p>
11.27	<p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p> <p>All soft landscaping works shall be carried out in accordance with the detail on Planting Plans Sheet 1 and 2 published by the Council on 2 July 2020. The works associated with each sub-phase shall be carried out prior to the occupation of that part of the development hereby approved unless otherwise agreed with the Council and shall be permanently retained thereafter. 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 available planting season with other trees or plants of a similar species and size, details of which shall have first been submitted to and approved in writing by the Council.</p>
11.28	<p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>All soft landscaping indicated on the stamped approved Planting Plans Sheet 1 and 2 published by the Belfast City Council Planning Office on 2 July 2020 shall be managed and maintained in accordance with the RPS Landscape Management Plan titled '20 Year Landscape Management Plan For Belfast Film Studios Phase 2' published by the Council on 2 July 2020. Any changes or alterations to the approved landscape management arrangements must be submitted to and agreed in writing by the Council in advance.</p> <p>Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual amenity.</p>
11.29	<p>The offices hereby approved shall not be used other than for purposes ancillary to the</p>

11.30	<p>principal use of the site as film studios.</p> <p>Reason: The proposal has been assessed on this basis and use of the premises as general offices would require further consideration.</p> <p>The phase 2 and 3 vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020, and, Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020, prior to the occupation of phases 2 and 3, as outlined on Drawing "Belfast Film Studios Phasing" published on the Planning Portal 7th June 2021. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</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>
12.0	<p>Representations from Elected Representatives (if relevant)</p> <p>N/A</p>
13.0	<p>Referral to DfI (if relevant)</p> <p>N/A</p>

ANNEX A (LA04/2021/1358/F)	
Date Valid	3rd June 2021
Date First Advertised	18th June 2021
Date Last Advertised	23rd July 2021
Details of Neighbour Notification (all addresses) The Owner/Occupier: 1 Dargan Road,Belfast,Antrim,BT3 9JU 1 Gullivers Road,Belfast,Antrim,BT3 9LU 108 Dargan Crescent,Belfast,Antrim,BT3 9JP 11 Dargan Road,Belfast,Antrim,BT3 9JU 13 Dargan Road,Belfast,Antrim,BT3 9JU 13 Dargan Road,Belfast,Antrim,BT3 9JU 15 Dargan Road,Belfast,Antrim, 15 Dargan Road,Belfast,Antrim,BT3 9LS 1st & 2nd Floors,37 Dargan Road,Belfast,Antrim,BT3 9JU 1st Floor,35 Dargan Road,Belfast,Antrim,BT3 9LZ 3 Dargan Road,Belfast,Antrim,BT3 9JU 39 Dargan Road,Belfast,Antrim,BT3 9JU 41 Dargan Road,Belfast,Antrim,BT3 9JU 5 Dargan Road,Belfast,Antrim,BT3 9JU 57 Dargan Road,Belfast,Antrim,BT3 9JU 65 Dargan Road,Belfast,Antrim,BT3 9JU 7 Dargan Road,Belfast,Antrim,BT3 9JU 9 Dargan Road,Belfast,Antrim,BT3 9JU Alpha House,53 Dargan Road,Belfast,Antrim,BT3 9JU Dargan Road,Belfast,Antrim, Ground Floor,39 Dargan Road,Belfast,Antrim,BT3 9LZ Ground Floors,37 Dargan Road,Belfast,Antrim,BT3 9JU Ground,1st & 2nd Floor,33 Dargan Road,Belfast,Antrim,BT3 9JU Ground,35 Dargan Road,Belfast,Antrim,BT3 9LZ Unit 2 ,Dargan Road,Belfast,Antrim,BT3 9LZ Unit 2 ,Dargan Road,Belfast,Antrim,BT3 9LZ Unit 2,37 Dargan Road,Belfast,Antrim,BT3 9JU Unit 3 ,Dargan Road,Belfast,Antrim,BT3 9LZ	
Date of Last Neighbour Notification	14th July 2021
Date of EIA Determination	
ES Requested	No

Planning History

Ref ID: LA04/2020/0474/F

Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works.

Address: Lands immediately north and south of existing film studios north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park). [Amended address],

Decision: Permission Granted

Decision Date: 19.08.2020

Ref ID: Z/2014/0057/F

Proposal: Amendments to Waste Transfer Station (Ref: Z/2005/1970/F) to regularise current operations incorporating acceptance of and external storage containers for Waste Electrical and Electronic Equipment (WEEE), plasterboard and metal. Proposed new steel gantry, steel containers and additional car parking spaces.

Address: Dargan Road Waste Transfer Station, 2a Dargan Road, Belfast, BT3 9JU,

Decision: Permission Granted

Decision Date: 22.05.2015

Ref ID: LA04/2019/1540/F

Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works.

Address: Lands to the northwest of existing Belfast City Council Waste Transfer Station, (2a Dargan Road, Belfast, BT3 9JU).

Decision: Application under consideration.

Ref ID: LA04/2019/1612/PAN

Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing & access from existing internal access road, landscaping and associated site works.

Address: Lands immediately north & south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park).,

Decision: PAN Acceptable

Decision Date: 31.07.2019

Ref ID: Z/2014/1279/F

Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works

Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast,

Decision: Permission Granted

Decision Date: 24.04.2015

Ref ID: Z/2004/1294/F

Proposal: Application to infill land with excavation and demolition materials for land reclamation purposes

Address: Belfast City Council Land, North Foreshore, Dargan Road, Belfast.

Decision: Permission Granted

Decision Date: 08.02.2005

Ref ID: LA04/2015/0982/PAN

Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows;

Production (37,450 sq ft.)

Stage 01 & stage 02 (66,000 sq ft.)

Stage 03 (45,000 sq ft.)

Workshop 01, 02 & 03 (46,170 sq ft.)

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility), adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park),

Decision: PAN Acceptable

Decision Date: 15.12.2016

Ref ID: Z/2010/1178/F

Proposal: Provision of management system for landfill gas, comprising capping, and installation of gas abstraction wells and pipework. Surface-water drainage and foul sewerage. Provision of services.

Address: North Foreshore Site, Dargan Road, Belfast, BT3 9JU,

Decision: Permission Granted

Decision Date: 30.08.2013

Ref ID: Z/2006/1545/F

Proposal: Provision of management system for landfill gas, comprising capping, installation of gas abstraction wells and pipework (gas to be drawn off to be flared at a nearby existing facility), surface-water drainage, site access road and foul sewerage.

Address: Dargan Road Landfill Site, Dargan Road, Belfast.

Decision: Permission Granted

Decision Date: 30.08.2007

Ref ID: LA04/2015/1605/F

Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description)

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan

Decision: Permission Granted

Decision Date: 25.02.2016

Ref ID: Z/2008/0228/F

Proposal: Management System for landfill gas, comprising capping, installation of gas abstraction, wells and pipework (gas to be drawn off to be flared at a nearby existing facility), and site access. Landscaping.

Address: North Foreshore Site, Dargan Road, Belfast

Decision: Permission Granted

Decision Date: 26.03.2009

ANNEX B Development Management Officer Committee Report for LA04/2020/0474/F	
Summary	
Committee Meeting Date: Tuesday 21 st July 2020	
Application ID: LA04/2020/0474/F	
Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, services and access from existing internal access road, landscaping and associated site works.	Location: Lands immediately north and south of existing film studios, north of Dargan Road Belfast (within wider Belfast City Council lands known as North Foreshore/Giants Park).
Referral Route: Major Application	
Recommendation:	Approval
Applicant Name and Address: Belfast Harbour Commissioners Harbour Office Corporation Square Belfast	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: This application seeks the erection of a film studios complex including studios, ancillary offices, workshops, parking and landscaping. The proposal will form Phase II of the current complex which was approved under reference LA04/2015/1605/F. The site is un-zoned “white land” within the Belfast Area Urban Plan (BUAP) 2001. It is located within the development limits of the City in the draft Belfast Metropolitan Area Plan (dBMAP) with a number of relevant zonings: <ul style="list-style-type: none"> - Within BHA 07 Employment and Industry North Foreshore - Within an Area of Mineral Constraint - Adjacent to a National Designated Site (Inner Belfast Lough Area of Special Scientific Interest); - Adjacent to two European Designated Sites – Belfast Lough Special Protection Area (SPA) and Belfast Lough Open SPA; - Adjacent to an International Designated Site Belfast Lough Ramsar Site - Adjacent to BHA10 Local Landscape Policy Area (LLPA) The main issues to be considered in this case are: <ul style="list-style-type: none"> • The principle of the proposed use at this location • Scale, massing and design • Traffic, movement and parking • Landscape and visual assessment • Amenity and open space • Habitat Regulations Assessment 	

- Drainage and Flooding
- Contaminated Land
- Pre-Application Community Consultation Report
- Economic benefits
- Developer contributions

DfI Roads, Environmental Health, NIEA, Shared Environmental Services, Rivers Agency, NI Water, Belfast City Airport, were all consulted in addition to the Council's Economic Development team, Tree Officer, City and Neighbourhood Services Landscape team and Environmental Health. Their responses are detailed in the main body of the report. There were no objections from consultees.

One representation was received. Issues raised included an error in the description of the site address (now rectified), an issue with letters not being available to view on the portal (now rectified) and concerns relating to the rationale behind the Council's decision that an Environmental Statement was not required for this application (detailed in Sections 7.0 and 8.0 of this report).

The submitted Pre-Application Community Consultation Report demonstrates 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 this Major application.

This 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.

Consultees confirm that the proposal will not adversely impact on amenity, human health, traffic or the adjacent protected areas.

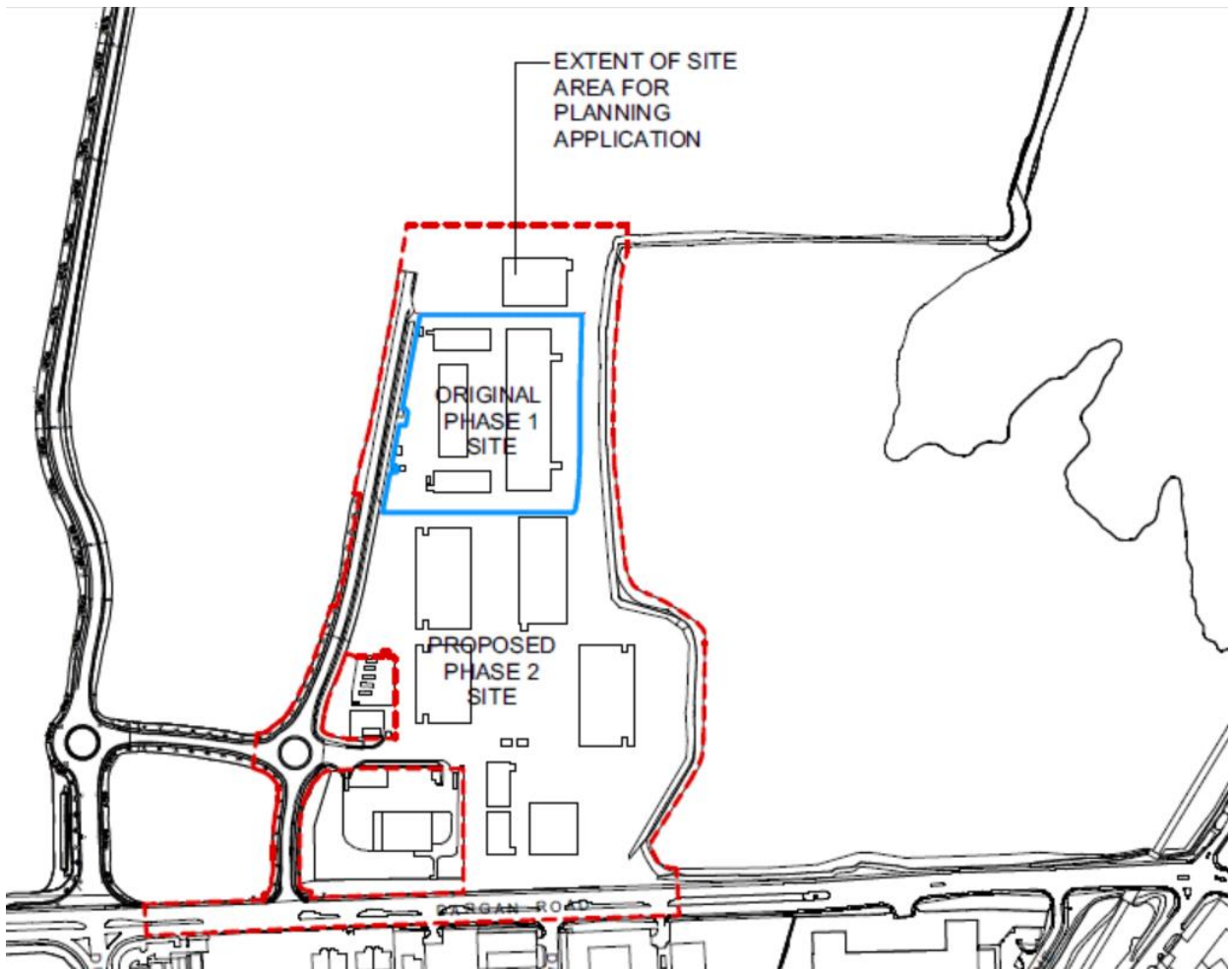
The proposed development is estimated to represent an investment of £45m, generate in excess of 200 construction jobs and approximately 1,000 creative industry jobs.

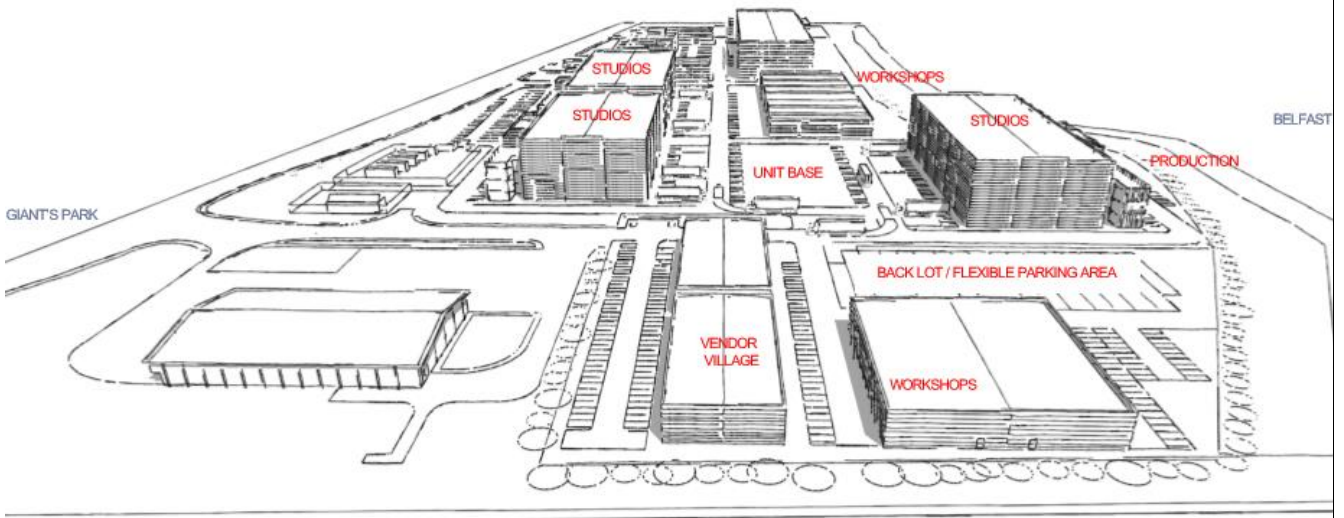
Recommendation:

Having regard to the Development Plan and other material considerations, including the issues raised by the representation, the proposal is considered and approval of planning permission is recommended with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised during the remainder of consultation.

Case Officer Report

Site Location/Layout/3D Visuals

Site Location Plan:Site Layout:3D Visuals:



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	<p>Full planning permission is sought for a second phase of the Belfast Film Studios complex comprising:</p> <ul style="list-style-type: none"> - Film studios/Sound stages with accompanying ancillary offices (20,439 sq m) - Workshops (9,631 sq m) - Vendors Village (1,1918 sq m) - Flexible car parking and associated service areas
1.2	<p>The proposed buildings have been laid out to work alongside Phase 1 as a large, coherent complex. The design of the buildings are similar to those in Phase 1 with the proposed scale and massing determined by the nature of the proposed use. The buildings are essentially acoustically sealed boxes similar in scale to a warehouse type structures. The workshops although much smaller in scale, similarly do not require windows due to the nature of the activities within such as set building, painting and chemical treatment of costumes and sets.</p>
1.3	<p>The studios titled S1 – S4 contain ancillary offices which are designed with glazing and entrances as have studios S5-S6 to the rear of the site overlooking the lough.</p>
1.4	<p>The parking has been designed to adapt flexibly where on-site production requires it.</p>
2.0	Description of Site and Area
2.1	<p>The area of the site is 10.5 hectares and was part of the former Dargan Landfill Site. The landfill site was closed in March 2007 and was subject to capping following completion of landfill operations on the area.</p>
2.2	<p>The site is part of the wider North Foreshore Giant's Park. The wider site has been landscaped in the interim years with land directly south of the application site developed for a Belfast City Council Waste Electrical and Electronic Equipment (WEEE) transfer station and a (landfill) gas powered electricity generating turbine complex.</p>
2.3	<p>Access to the site is via the existing internal road infrastructure off Dargan Road which has been upgraded with a signalised junction.</p>
2.4	<p>The application site is on low-lying ground and is located immediately adjacent to Belfast Lough. The area to the north of the site is described as the northern zone of the North Foreshore land and is the area of most recent cessation of landfill operations. This area of land slopes upwards to the north. The area to the south and east of the site consists of industrial and commercial buildings that contrast to the dominant residential use west of the M2 / Shore Road. There is an established woodland strip along the western North Foreshore boundaries which provides a landscape buffer and protection from the Motorway.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	<p>Full details of all historical applications are provided at Annex A. Of particular relevance to this site are the following:</p>
3.2	<p>Ref ID: LA04/2019/1612/PAN Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing & access from existing internal access road, landscaping and associated site works.</p>

3.3	<p>Address: Lands immediately north & south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park)., Decision: PAN Acceptable Decision Date: 31.07.2019</p> <p>Ref ID: LA04/2019/1540/F Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works. Address: Lands to the northwest of existing Belfast City Council Waste Transfer Station, (2a Dargan Road, Belfast, BT3 9JU). Decision: Application under consideration.</p>
3.4	<p>Ref ID: LA04/2015/1605/F Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan Decision: Permission Granted Decision Date: 25.02.2016</p>
3.5	<p>Ref ID: LA04/2015/0982/PAN Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows; Production (37,450 sq ft.) Stage 01 & stage 02 (66,000 sq ft.) Stage 03 (45,000 sq ft.) Workshop 01, 02 & 03 (46,170 sq ft.) Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility), adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park), Decision: PAN Acceptable Decision Date: 15.12.2016</p>
3.6	<p>Ref ID: Z/2014/1279/F Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast. Decision: Permission Granted Decision Date: 24.04.2015</p>
4.0	Policy Framework
4.1	<p>Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015)</p>

	Draft Belfast Metropolitan Plan 2004 Developer Contribution Framework (2020)
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland (SPSS) Planning Policy Statement 2 (PPS 2) – Planning and Nature Conservation Planning Policy Statement 3 (PPS 3) - Access, Movement and Parking Planning Policy Statement 4 (PPS 4) – Planning and Economic Development Planning Policy Statement 13: Transportation and Land Use Planning Policy Statement 15 (Revised) (PPS 15) - Planning and Flood Risk
5.0	Statutory Consultees Transport NI – no objection subject to conditions and informatives Rivers Agency – no objection subject to conditions NIEA Water Management Unit – issued standing guidance NIEA Land, Soil, and Air – no objection subject to conditions and informatives NIEA Natural Environment Division – no objection NIW – No objection Shared Environmental Services - no objection subject to conditions and informatives Belfast City Airport – No objection
6.0	Non-Statutory Consultees Environmental Health BCC – no objection subject to conditions and informatives Tree Officer BCC – content that the landscaping proposals are appropriate subject to condition City and Neighbourhood Landscape Team BCC – no objection Economic Unit – No objections
7.0	Representations
7.1	One representation has been received on behalf of Energia Renewables and raises a number of issues: <ol style="list-style-type: none"> 1. The site address contains an error, omitting the word “south”. 2. The neighbour notifications are shown on the Planning Portal as being issued but do not appear in the “Neighbour Notification” tab. 3. Concerns about the EIA determination and its conclusion that an Environmental Statement (ES) was not required: including a concern that the EIA assessment did not consider the entire application site; that an ES was not required given the size of the site, the scale of the development and the potential cumulative impacts of both phases of the film studio complex and adjacent development and the fact that the site is a landfill site; and that this differs from the approach taken for a major application for an Anaerobic Digester on an adjacent site, which required an ES for a smaller site, located further away from Belfast Lough.
7.2	In addition, this representation requests a substantive response regarding the procedural issues and observations requiring the EIA determinations.
7.3	The representation has been considered as follows: <ol style="list-style-type: none"> 1. The description error was corrected and the application was re-advertised and neighbour notifications re-issued to highlight the amended address and also referred to the receipt of further information provided by the applicant to address issues raised by consultees. The notification period ends on 22nd July 2020. 2. The original neighbour notification letters did not appear on the Planning Portal because of an IT issue. This was rectified and all letters are now visible. 3. The proposal has been subject to an EIA screening process both before and on submission of the planning application. In terms of the most recent screening, the history of the site including the Phase 1 application was taken into account and

	<p>informed the decision. The conclusion was that the proposal would be unlikely to have significant environmental effects either individually or cumulatively in the context of the EIA Regulations and the matters could be effectively dealt with during the normal consultation and development management processes. Statutory consultees were consulted as part of the EIA screening process and have confirmed that they have no objections subject to conditions. Legal Services have reviewed the correspondence and have advised on the issues raised. They do not consider it necessary to review the screening decision. Officers are therefore content that the Planning (EIA) Regulations Northern Ireland 2017 have been correctly considered and applied and the decision that an Environmental Statement was not required was the correct decision taking into account all relevant factors. The objector has been advised of the Council's position.</p>
8.0	Environmental Impact Assessment
8.1	Phase I
8.1.1	Phase I of the development was subject to a Pre-Application Discussion (PAD) under reference LA04/2015/1085/PAD. An Environmental Impact Assessment (EIA) Determination was carried out at the PAD stage to determine if the proposed development would or would not be an EIA development (thus requiring an ES). After following process, including consideration of formal responses from relevant consultees, it was concluded that the environmental effects of a film studio at this location would be unlikely to be significant.
8.1.2	Upon receipt of the full application (LA04/2015/1605/F) for Phase 1, a further EIA screening assessment was carried out. This was informed by previous consultation responses at PAD stage and also discussions with Environmental Services Department regarding the incorporation of gas protection measures that satisfy the requirements for Characteristic Situation 6 (CS6) as detailed within CIRIA publication C665 'Assessing risks posed by hazardous ground gases to buildings'. Having regard to the requirement that the proposal incorporates gas measures that satisfy the requirements for a CS6 build which would ensure the maximum gas protection measures for any future development on site it was determined that the development would not be an EIA development and an ES was not required. Gas contamination was subsequently satisfactorily dealt with as part of the planning process.
8.2	Phase II
8.2.1	Phase II of the development which is the subject of this current application, also benefitted from a PAD under reference LA04/2019/1700/PAD.
8.2.2	In addition, a formal EIA screening request was received under reference LA04/2019/2595/DETEIA. A detailed screening report was provided and consultation was undertaken with all relevant consultees.
8.2.3	A response was issued on 29 th January 2020 which concluded that the proposal would be unlikely to have significant environmental impacts either individually or cumulatively with other developments. The potential impacts can be assessed during the normal consultation process with the appropriate reports as outlined in the Applicant's EIA Screening Report in addition to the information provided by key consultees. Therefore, an Environmental Statement was not required.
8.2.4	Upon receipt of the application, a further EIA screening assessment was carried out which was informed by the Phase I development, the PAD and previous DETEIA screening and having taken into account all relevant considerations, including the nature of the proposal and site location, it was determined that an Environmental Statement was not required.

9.0	<u>ASSESSMENT</u>
9.1	<u>Development Plan</u>
9.1.2	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
9.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it 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. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
9.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.
9.1.4	The PAC report (independent examination) recommended that Zoning BHA07 and Proposal BHA19 be deleted from the Plan and replaced by a new mixed use zoning BHA07. The Key Site Requirements (KSR's) are broadly similar to those in the draft plan and are detailed under Sections 9.2.3 – 9.2.10.
9.2	<u>The principle of the proposed use at this location</u>
9.2.1	The site is located within the development limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.
9.2.2	The land is currently not in use however it is immediately adjacent to the existing film studios complex known as Phase I.
9.2.3	The site is within Zoning BHA 07 Employment/Industry for North Foreshore in the draft BMAP 2015. A number of key site requirements (KSRs) form part of this mixed use zoning.
9.2.4	The first KSR states that development at this location shall only include uses including Light Industrial, General Industrial, Special Industrial, Storage and Distribution, Port-related Uses and Waste Management facilities. Following the PAC enquiry, it was agreed by all parties that Recycling would be included also. It is considered that a film studio with associated production and workshops fall within Class B2: Light Industry and complies with identified uses considered to be suitable at this location.
9.2.5	The second KSR requires development of the site to be permitted only in accordance with an overall comprehensive masterplan to be agreed with the Department. The Comprehensive Master Plan was agreed by DOE Planning Service under reference Z/2008/2289/Q by correspondence dated 15 January 2010. This Masterplan recommended waste management facilities in the area subject to the current application. The Masterplan also promoted economic development on the site. It is considered that the proposal complies with the overall aspiration of the Masterplan to seek the regeneration and development of this site.

9.2.6	The third KSR states that access shall be from Dargan Road. The access arrangements and principal internal road network for North Foreshore have been granted planning permission (Z/2014/1279/F) and are constructed and in operation.
9.2.7	The fourth KSR states that a Transport Assessment agreed with Transport NI shall be required. A Transport Scoping Study, Transport Assessment, Transport Assessment Form, Waste Management Plan and a Travel Plan were all submitted in support of the application. DfI Roads have no objections based on the information submitted to support the application.
9.2.8	The fifth KSR states that development proposals shall be required to provide appropriate protection of habitat biodiversity in the adjacent international and national designated natural heritage sites. A Landscape and Visual Impact Assessment; a Preliminary Ecological Assessment; a Habitats Regulations Assessment Screening Statement; and an Outline Construction Phase Environmental Management Plan have been submitted in support of the application. NIEA have been consulted and confirmed that they have no objections based on the information submitted to support the application subject to appropriate conditions.
9.2.9	The sixth KSR requires buildings to exhibit variety in their elevational treatment and heights. The nature of the use gives rise to different sizes and heights between the buildings. There is a commonality of finish which arises primarily from the specific needs of the end-user which leads to largely windowless designs. Phase I contains a main building at the front of the site however which contains offices and is suitably glazed. Within Phase II there are two such buildings which are glazed at the front to take in the views of both the Belfast Hills and the Belfast Lough.
9.2.10	The seventh and eighth KSR's require a comprehensive landscaping scheme including retention of vegetation on the site and a detailed planting plan and programme of works as well as long-term landscape management proposals. Both detailed landscape proposals and a 20-year management plan were submitted in support of the current application. These were assessed by BCC Tree Officer and BCC City and Neighbourhood Landscape Team and found to be acceptable. These consultees have no objections subject to conditions.
9.2.11	It is therefore considered that the proposed use is acceptable having regard to the relevant zonings on the site.
9.3	<u>The Economic Principles and impacts of the Proposal</u>
9.3.1	PPS 4: Planning and Economic Development sets out planning policies for economic development uses, recognising the key role the planning system has in achieving a vibrant economy. Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities.
9.3.2	A Film Studio falls within Class B2: Light Industry. Policy PED 1 of PPS 4 states that "A development proposal for a Class B2 light industrial use or Class B3 general industrial use will be permitted in an area specifically allocated for such purposes in a development plan". Zoning BHA 07 of dBMAP details Class B2: Light Industrial Use as a suitable use at this location.
9.3.3	Policy PED 1 also states that "A development proposal to extend an existing economic development use or premises within settlements will be determined on its individual merits having regard to Policy PED9". In considering proposals for economic development the Council will seek to minimise adverse effects on the amenities of adjacent properties, particularly dwellings, and on natural and built heritage resources. Particular care will be taken to safeguard local, national and international natural heritage designations.

9.3.4	<p>Policy PED 9 details general criteria for economic development that are detailed elsewhere throughout this report. In summary however, the proposal is considered to be compliant with Policy PED 9 as it is considered that:</p> <ul style="list-style-type: none"> (a) The proposal is compatible with surrounding land uses (b) The proposal will not harm the amenity of nearby residents (c) The proposal will not adversely affect features of the natural or built heritage (d) The proposal will not cause or exacerbate flooding (e) The proposal will not create a noise nuisance (f) The proposal can satisfactorily deal with any emissions or effluent (g) The existing road network can safely handle any extra vehicular traffic (h) The proposal contains adequate access arrangements, parking and manoeuvring areas (i) The proposal provides an adequate movement pattern (j) The proposal contains a site layout, building design, infrastructure and landscaping that are of high quality and assist sustainability and biodiversity (k) The proposal contains appropriate boundary treatments and landscaping (l) The proposal is designed to deter crime and promote personal safety
9.3.5	<p>The application was supported by an Employability and Skills Assessment (ESA) which was considered by the Council's Economic Development team. The ESA estimates that Phase I of the Film Studios complex, which has been open since May 2017, has generated c£19m per annum. Phase II is anticipated to double this to almost £40m per annum.</p>
9.3.6	<p>The programmed construction phase will create in excess of 110 jobs with Buy Social provisions to be incorporated in the procurement. Up to 200 additional jobs are anticipated to be created directly with a further 1000 creative industry jobs during filming and production.</p>
9.3.7	<p>It is considered that there is no conflict with PPS 4 and that the proposal will bring vitality and economic benefits to the area.</p>
9.4	<u>Scale, Massing and Design</u>
9.4.1	<p>The schedule of accommodation is as follows:</p> <ul style="list-style-type: none"> - Film studios/Sound stages with accompanying ancillary offices (20,439 sq m) - Workshops (9,631 sq m) - Vendors Village (1,1918 sq m) - Flexible car parking and associated service areas
9.4.2	<p>The design ethos of Phase I was intended to sit within the established development profile of the area, including an extension of the large format, cladding panel which is so predominant in the area. The PAD for Phase II explored whether it was appropriate to continue this design ethos or seek to depart from the Phase I design. As the scale and massing is so similar and the phases are designed to be integrated into a large, functional studios lot, it was considered there was no requirement to depart from the design rationale and that Phase II should seek to replicate the existing ethos.</p>
9.4.3	<p>The primary external cladding material is proposed as insulated aluminium composite cladding panels randomly assigned utilising a 3-colour palette (goosewing grey, white and anthracite), which the applicant considers reflects the immediate context of this primarily commercial / industrial area. This is also reflective of Phase I.</p>
9.4.4	<p>The scale and massing of the buildings proposed are primarily influenced by the function within. The maximum height of the buildings ranges from 21.95m for the film studios, 8.1m</p>

9.4.5	<p>for the workshops and 9.1m for the Vendor village. This is broadly reflective of the heights across Phase I.</p> <p>Given the overall size of the site within North Foreshore and the industrial / commercial nature of the immediate surrounding context, and the established form of development within Phase I, the design, scale and layout of the proposed scheme is considered to be acceptable.</p>
9.5	<u>Landscape and Visual Impact</u>
9.5.1	A Landscape and Visual Assessment (LVIA) was submitted in support of the application.
9.5.2	<p>The LVIA states that the proposed development is located within the Belfast Harbour Estate landscape character area that is defined by roadways, commercial units, cranes and traffic as key features of its character. It states that there are no residential properties in close proximity to the proposed development and no significant visual impacts have been predicted on residential properties. It further refers to a “range of mitigation measures” proposed including “landscape planting around and within the site and for retention of the existing mature trees outside the site’s southern boundary at Dargan Road”.</p>
9.5.3	It concludes that the proposed development is consistent with the existing character of the Harbour Estate and no significant landscape impacts are predicted.
9.5.4	The Council’s Landscape Planning and Development Team reviewed the LVIA as well as associated planting and landscaping proposals. They are content with the methodology and assessment and note that whilst the proposal will be “visible in association with the Belfast Harbour Film Studios Phase I” that it is “unlikely to result in significant additional impact on landscape character or visual amenity”.
9.5.1	The landscape planting and management plan will be conditioned accordingly.
9.6	<u>Natural Heritage and Conservation</u>
9.6.1	<p>The application site is adjacent to Inner Belfast Lough ASSI, Belfast Lough SPA, Belfast Lough Open Water SPA and Belfast Lough Ramsar site which are of international and national importance and is/are protected by Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended) and The Environment (Northern Ireland) Order 2002.</p>
9.6.2	<p>PPS 2: Natural Heritage sets out planning policies for the conservation, protection and enhancement of our natural heritage. Development proposals are restricted where they are likely to impact upon the integrity of European or Ramsar sites as these are afforded the highest protection. Policies NH1, NH2, NH3, NH4 and NH5 apply.</p>
9.6.3	Natural Environment Division (NIEA: NED), Coastal Development (NIEA: CD), Water Management Unit (NIEA:WMU) and Shared Environmental Services (SES) have considered the impacts of the proposal on designated sites.
9.6.4	<p>NIEA:NED state that they are content that: ‘All significant threats associated with the proposal have been identified and that the proposed mitigation measures are appropriate and likely to prevent any significant impact on selection features of the designated sites adjacent to the application site.’ They request that a 3m buffer zone for roosting birds be provided</p>
9.6.5	NIEA:CD have provided informatives regarding marine life and protections.

9.6.6	NIEA:WMU have requested a Construction Environmental Management Plan.
9.6.7	SES have requested conditions regarding landscaping and a Construction Environmental Management Plan. They request that a 3m buffer zone for roosting birds be provided alongside screening and landscape planting. This will be reflected in the conditions below.
9.6.8	Having regard to PPS 2, it is considered that the proposal meets the requirements of the relevant policies as outlined above.
9.7	<u>Contaminated Land</u>
9.7.1	The nature of the site as a landfill location naturally gives rise to concerns regarding contamination and human health. The Council's Environmental Health Department (BCC:EH) as well as NIEA: Land and Groundwater Regulation Unit (NIEA:LRU) were consulted during the PAD process, the EIA screening process and again on the current full application.
9.7.2	An Outline Construction Environmental Management Plan (oCEMP) and a Preliminary Risk Assessment (PRA) were submitted in support of the application. Following a request from BCC:EH and NIEA:LRU, a further environmental clarification document was submitted including an RSK memo document.
9.7.3	Following review of these documents, both consultees were content to recommend conditions and informatives (this same approach was taken to Phase I). The conditions will require a full Quantitative Risk Assessment (QRA), a detailed Remediation Strategy and Verification Report in advance of construction and occupation. In addition, NIEA require a full Piling Risk Assessment to be submitted and approved prior to construction.
9.8	<u>Habitats Regulation Assessment (HRA)</u>
9.8.1	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 (SES) 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.
9.8.2	SES have stated that having considered the submitted HRA and the nature, scale, timing, duration and location of the project it is concluded that, provided mitigation is conditioned as requested, that the proposal will not have an adverse effect on site integrity of any European site.
9.8.3	NIEA: CD also confirmed that the HRA which has been undertaken for these works provides appropriate mitigation to ensure that there will be no significant negative effects on the Special Protection Area site selection features of both sites. Provided these mitigation measures are implemented Marine Environment Division is content subject to conditions requested.
9.9	<u>Traffic, Movement and Parking</u>
9.9.1	The proposal has been assessed against PPS 3 and PPS13. In assessing the proposal DfI Roads considered the following documents: Transport Scoping Study, Transport Assessment, Transport Assessment Form, Waste Management Plan and a Travel Plan.
9.9.2	As Phase I has been completed and operational for a number of years, this has given the applicant important insights in to the traffic and travel needs of the studios as a whole. There are 648 no parking spaces proposed within Phase II, however this is designed to be flexible with an area of 110 spaces within this total which may at times be used for outdoor

	production or catering as the specific needs of each production arise. This provision is in addition to the 168 no parking spaces provided in Phase I.
9.9.3	Access to the site is primarily by private car due to the nature of the location. Sheltered cycle parking, disabled parking and a drop-off zone for taxis and buses are all provided within the site.
9.9.4	DFI Roads engaged in the PAD process and have no objections to the current proposals. The submitted Travel Plan identifies public transport routes, cycling and private car usage but also highlights that the Travel Plan contains measures for promoting public transport and sustainable modes of travel.
9.10	<u>Noise and Vibration</u>
9.10.1	The Environmental Health Service raised concern with the submitted Noise Impact Assessment with regards to potential construction noise impacts. As a result the agent provided a second document with clarification and further details. The Environmental Health Officer is content that this can be covered by the requirement of a Construction Noise and Vibration Management Plan to be submitted and approved prior to construction.
9.11	<u>Air Quality</u>
9.11.1	An Outline Construction Environmental Management Plan (oCEMP) was submitted in support of the application. Further information was requested by BCC: EH with regards to the dust management plan. Following submission of this information, BCC: EH has confirmed that this will be covered in a condition to require a full CEMP. This is also required by NIEA.
9.12	<u>Artificial Lighting</u>
9.12.1	An Artificial Lighting Assessment was submitted in support of the application. Further information was requested by BCC: EH and additional design information was provided. Having considered the additional information, BCC: EH are content and no lighting conditions are required.
9.13	<u>Flood Risk and Drainage</u>
9.13.1	PPS15: Planning and Flood Risk seeks to minimise and manage flood risk to people, property and the environment. The site is located outside the 1 in 100 year river flood plain and 1 in 200 year coastal flood plain. The proposal has been considered against Policy FLD 1 of the Revised PPS15 – 'Development in Fluvial (River) and Coastal Flood Plains'. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains.
9.13.2	Given that the site area exceeds 1ha, Policy FLD 3: Development and Surface Water Flood Risk Outside Flood Plains of PPS 15 applies. A Drainage Assessment was submitted in support of the application. As the development is within proximity of the coastal floodplain of Belfast Lough, all finished floor levels have been placed at a minimum of 600mm above the 1 in 200 year coastal flood plain.
9.13.3	DfI Rivers were consulted and requested that a condition be placed on any approval requiring a final Drainage Assessment to be submitted and approved prior to commencement of the works.
9.13.4	Northern Ireland Water (NIW) has been consulted on the proposal and confirmed that the waste water treatment works (WWTW) has available capacity to accept the additional load

	from the proposal. NIEA: WMU has no objection to the proposal subject to a condition for a final detailed CEMP.
9.14	<u>Amenity</u>
9.14.1	Paragraphs 4.11 and 4.12 of the SPPS states there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when managing development.
9.14.2	The nearest residential properties are located approximately 750 metres from the proposed development. The Artificial Lighting Report and Landscape Visual Impact Assessment concluded that the proposed artificial lighting associated with the development will have a negligible impact on residential units and an insignificant impact on commercial premises.
9.14.3	Noise, air quality and lighting are all considered in paragraphs above. BCC:EH has no objections subject to conditions.
9.15	<u>Pre-Community Consultation</u>
9.15.1	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 applicants for planning permission to consult the community in advance of submitting an application.
9.15.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. LA04/2019/1612/PAN was submitted to the Council on 9 th July 2019 and was deemed to be acceptable on 29 th July 2019.
9.15.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of public meetings, stakeholder letters, freephone number and email contact and the public advertisement.
9.15.4	Engagement by post and at the event demonstrated a strong support (88%) for the expansion of the studios and generally welcoming of the job creation and regeneration possibilities the proposal would bring.
9.15.5	It is considered that the PACC 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.
9.16	<u>Developer Contributions</u>
9.16.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals".
9.16.2	The Developer Contributions Framework published by Belfast City Council in January 2020 sets out the circumstances whereby mitigation or management of the impacts of new development is required.
9.16.3	In the circumstances of the current site, it is not deemed necessary for the applicant to make a developer contribution as the landscaping and access arrangements are sufficient and appropriate to the proposal. The Economic Unit assessed the information provided by

	the applicant and are content that the job creation through construction and operation will support local people and operate without the requirement for a Section 76 agreement regarding employability and skills.
9.17	<u>Statutory Consultation</u>
9.17.1	The proposal was advertised on 6 th March 2020 and 26 th June 2020.
9.17.2	Neighbours/objectors were notified on 6 th March 2020 and 8 th July 2020.
9.17.3	1 no representation was received and this is considered in detail above.
9.18	<u>Conclusion</u>
9.18.1	The proposal would have an acceptable impact on the landscape, traffic, surrounding land-uses and wider environment. It is considered that the proposal would result in wider economic benefit and job creation opportunities and that these factors lend substantial weight in favour of the proposal.
9.18.2	Having regard to the Development Plan and relevant material considerations, the proposal is considered acceptable and planning permission is recommended.
10.0	Summary of Recommendation:
10.1	It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.
11.0	Conditions
11.1	<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>
11.2	<p>The development hereby approved shall not become operational until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</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>
11.3	No part of the development hereby permitted shall become operational until hard surfaced areas have been constructed in accordance with the approved layout Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used

	<p>for any purpose at any time than for the parking and movement of vehicles. A minimum of 4% of parking shall be for disabled users and will be close to building accesses.</p> <p>Reason: To ensure that adequate provision has been made for parking and servicing.</p>
11.4	<p>No part of the development hereby permitted shall become operational until a minimum of 20 No. secure covered cycle parking stands shall be provided. The cycle parking stands shall be permanently retained close to the accesses to the proposed development for use by staff and visitors to the development.</p> <p>Reason: To encourage the use of alternative modes of transport for development users.</p>
11.5	<p>The development hereby permitted shall operate at all times in accordance with the approved Travel Plan published by the Belfast City Council Planning Office on 03 March 2020. This shall include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures agreed by DfI Roads. This Travel Plan must be issued as a standalone document and the measures contained within must be monitored and assessed from the inception of the Plan on a minimum of an annual basis to ensure the Plan's effectiveness.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
11.6	<p>The rating level (dBLAr,Tr) for the combined operation of all plant and equipment associated with the phase 2 development of the Belfast Harbour Studios must not exceed existing daytime and night-time background noise levels of 59 dB (LA90,T) and 48 dB (LA90,T) respectively at the nearest noise sensitive premises when measured or determined in accordance with the requirements of BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.</p> <p>Reason: Protection of amenity against adverse impact.</p>
11.7	<p>The development hereby permitted shall not be commenced unless a final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. This Plan must outline the methods to be employed to minimise any environmental impacts during site preparation and construction works, demonstrating the use of 'best practicable means'. All site preparation and construction works thereafter must be carried out in accordance with the approved Construction Environmental Management Plan.</p> <p>Reason: Protection of human health and the environment and amenity of nearby premises.</p>
11.8	<p>The development hereby permitted shall not be commenced unless a Quantitative Risk Assessment has been submitted to and approved in writing by the Council. The Quantitative Risk Assessment should consider the information presented in the RSK Environment Ltd report entitled 'Belfast Harbour Commissioners, Proposed Film Studio Complex, North Foreshore, Belfast, Preliminary Risk Assessment' (dated 24th February 2020 and referenced 602462-1(00)). The Quantitative Risk Assessment must be conducted in accordance with Environment Agency guidance and must incorporate:</p> <ul style="list-style-type: none"> – A detailed site investigation in line with BS 10175:2011+A2:2017. Ground gas investigations should be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019. – A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in accordance with Environment Agency guidance. Risks associated with ground gases should be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665.

	Reason: Protection of human health.
11.9	<p>The development hereby permitted shall not be commenced unless a detailed Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy must demonstrate how the pollutant linkages identified within the agreed Quantitative Risk Assessment are to be demonstrably broken and no longer pose a potential risk to human health. The Strategy must also detail how the proposed remedial works are to be verified. The detailed Remediation Strategy must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance, and must meet the requirements of the Belfast City Council North Foreshore Developer's Guidance Note. All construction thereafter must be in accordance with the approved Detailed Remediation Strategy.</p> <p>Reason: Protection of human health.</p>
11.10	<p>The development hereby approved shall not become operational unless a Verification Report has been submitted to and approved in writing by the Council which demonstrates that all required remedial measures have been incorporated within the proposal. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed detailed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p>
11.11	<p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p>
11.12	<p>No construction of the development hereby permitted shall commence unless a Construction Noise Vibration and Dust Management Plan (CNV&DMP) has been submitted to and approved in writing by the Council. The Plan must outline the methods to be employed to minimise any noise and vibration associated with construction operations, demonstrating the use of 'best practicable means'. The plan must have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014, Code of practice for noise and vibration on construction and open sites. All construction works thereafter must be carried out in accordance with the approved CNV&DMP.</p> <p>Reason: Protection of amenity of nearby premises.</p>
11.13	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. This shall reflect all the mitigation and avoidance measures detailed in the outline CEMP, Artificial Lighting Assessment, Drainage Assessment and HRA carried out by RPS on behalf of Belfast Harbour Authority. The Final CEMP must confirm details of the chosen piling method. If this differs from the method detailed in the HRA then an assessment of impact to marine mammals shall be included. The Final CEMP should</p>

	<p>reflect the recommendations of NIEA: NED in its consultation response 17/04/20. The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing with by the Council.</p> <p>Reason: To ensure that the appointed contractor undertaking the work is fully appraised of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA, East Coast (NI) Marine proposed SPA or to mobile features associated with North Channel SAC or The Maidens SAC.</p>
11.14	<p>The development hereby permitted shall not be commenced unless suitable risk assessments and supporting data have been submitted to and approved in writing by the Council. These shall identify all unacceptable risks to health and the water environment. The investigations shall include, but not be restricted to:</p> <ul style="list-style-type: none"> • Identifying all potential contaminant sources within the planning boundary. • Site investigations and groundwater monitoring designed and implemented in accordance with British Standard BS 10175:2011 + A2:2017 – ‘Code of practice for investigation of potentially contaminated land sites’ to identify the contamination risks associated with the potentially contaminating activities which took place at this site or in the surrounding area. • Provision of risk assessment(s) in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks to identify all unacceptable risks to health and the water environment and provision of remedial criteria to be met through a remedial strategy. These works are required to ensure that the land will be in a condition suitable for the development. <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>
11.15	<p>The development hereby permitted shall not be commenced unless a detailed Remediation Strategy to address all unacceptable risks to receptors identified at Condition 11.14 has been submitted to and approved in writing by the Council. This must identify all unacceptable risks, the remedial objectives / criteria and the measures which are proposed to mitigate them (including maps / plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program etc.).</p> <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>
11.16	<p>No construction of the development hereby permitted shall commence unless a Piling Risk Assessment has been submitted to and approved in writing by the Council. Piling risk assessments must be undertaken in accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention”, available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0202bisw-e-e.pdf 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.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.17	<p>If during the development works, new contamination and risks to the water environment are encountered which has not previously been identified, works within the immediate area of the find should cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at: https://www.gov.uk/guidance/land-</p>

	<p>contamination-how-to-manage-the-risks. In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing and subsequently implemented to its satisfaction.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use. After completing any remediation works required under Conditions 11.14 – 11.17, and prior to operation of the development, a verification report must be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.18	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan detailing all Pollution Prevention measures has been submitted to and approved in writing by the Council. NIEA Water Management Unit require the CEMP at least 8 weeks prior to the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.</p> <p>Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.</p>
11.19	<p>No construction of the development hereby permitted shall commence unless a Final Drainage Assessment compliant with Annex D of PPS 15 has been submitted to and approved in writing by the Council.</p> <p>Reason: To safeguard against flood risk to the development and elsewhere.</p>
11.20	<p>All existing trees within the site as detailed on the stamped approved drawing No. 58, and bearing the Council's date stamp 17 February 2020 shall be retained. No retained tree shall be cut down, uprooted or destroyed or have its roots damaged within the root protection area nor shall arboriculture work or tree surgery take place on any retained tree other than in accordance with the approved details, without the written consent of the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
11.21	<p>If any retained tree is removed, uprooted or destroyed or dies within 5 years from the date of the occupation of the development hereby approved, another tree or trees shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified by the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p>
11.22	<p>Any demolition and removal of existing hard surfaces within the Root Protection Areas of existing trees to be retained, shall be carried out in accordance with recommendations outlined in part 7 of British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' where this encroaches within the root protection area of any existing tree.</p> <p>Reason: To avoid damage to existing trees.</p>

11.23	<p>Where construction is proposed within the Root Protection Area (RPA) of existing trees, careful hand digging will be employed with extreme care being taken not to damage tree roots and tree stems within the Root Protection Areas of all trees to be retained. Mini-pile / post foundations or equivalent shall be used in the construction of any boundary fence.</p> <p>Reason: To avoid root severance of existing trees.</p>
11.24	<p>No construction of the development hereby permitted shall commence unless protective barriers (fencing) and ground protection have been erected / installed as specified in British Standard 5837: 2012 'Trees in relation to design, demolition and construction – Recommendations' (section 6.2) on all trees to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.</p> <p>Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.</p>
11.25	<p>All soft landscaping works shall be carried out in accordance with the details on Planting Plans Sheet 1 and 2 published by the Belfast City Council Planning Office on 2 July 2020. The works shall be carried out prior to the occupation of the development hereby approved unless otherwise agreed with the Council and shall be permanently retained thereafter. 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 similar species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
11.26	<p>All soft landscaping indicated on the stamped approved Planting Plans Sheet 1 and 2 published by the Belfast City Council Planning Office on 2 July 2020 shall be managed and maintained in accordance with the RPS Landscape Management Plan titled '20 Year Landscape Management Plan For Belfast Film Studios Phase 2' published by the Belfast City Council Planning Office on 2 July 2020. Any changes or alterations to the approved landscape management arrangements must be submitted to and agreed in writing by the Council in advance.</p> <p>Reason: To ensure successful establishment and ongoing management and maintenance (in perpetuity) of the open space and amenity areas in the interests of visual amenity.</p>
12.0	<p>Representations from Elected Representatives (if relevant) N/A</p>
13.0	<p>Referral to DfI (if relevant) N/A</p>

ANNEX A (LA04/2020/0474/F)	
Date Valid	24th February 2020
Date First Advertised	5th March 2020
Date Last Advertised	26 th June 2020
<p>1 Dargan Road,Belfast,Antrim,BT3 9JU 108 Dargan Crescent,Belfast,Antrim,BT3 9JP 11 Dargan Road,Belfast,Antrim,BT3 9JU 13 Dargan Road,Belfast,Antrim,BT3 9JU 15 Dargan Road,Belfast,Antrim, 1st & 2nd Floors,37 Dargan Road,Belfast,Antrim,BT3 9JU 1st Floor,35 Dargan Road,Belfast,Antrim,BT3 9LZ 3 Dargan Road,Belfast,Antrim,BT3 9JU 39 Dargan Road,Belfast,Antrim,BT3 9JU 41 Dargan Road,Belfast,Antrim,BT3 9JU 42-44 ,Duncrue Crescent,Belfast,Antrim,BT3 9BW 5 Dargan Road,Belfast,Antrim,BT3 9JU 57 Dargan Road,Belfast,Antrim,BT3 9JU 7 Dargan Road,Belfast,Antrim,BT3 9JU 9 Dargan Road,Belfast,Antrim,BT3 9JU Alpha House,53 Dargan Road,Belfast,Antrim,BT3 9JU Ground Floor,39 Dargan Road,Belfast,Antrim,BT3 9LZ Ground Floors,37 Dargan Road,Belfast,Antrim,BT3 9JU Ground,1st & 2nd Floor,33 Dargan Road,Belfast,Antrim,BT3 9JU Ground,35 Dargan Road,Belfast,Antrim,BT3 9LZ Unit 1-2,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 2 ,Dargan Road,Belfast,Antrim,BT3 9LZ Unit 2,37 Dargan Road,Belfast,Antrim,BT3 9JU Unit 3 ,Dargan Road,Belfast,Antrim,BT3 9LZ Unit 3,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 4,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 5,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP Unit 6,Nella House,96 Dargan Crescent,Belfast,Antrim,BT3 9JP</p>	
Date of Last Neighbour Notification	8 th July 2020
Date of EIA Determination	N/A
ES Requested	No
<p>Planning History</p> <p>Ref ID: Z/2014/0057/F Proposal: Amendments to Waste Transfer Station (Ref: Z/2005/1970/F) to regularise current operations incorporating acceptance of and external storage containers for Waste Electrical and Electronic Equipment (WEEE), plasterboard and metal. Proposed new steel gantry, steel containers and additional car parking spaces. Address: Dargan Road Waste Transfer Station, 2a Dargan Road, Belfast, BT3 9JU, Decision: Permission Granted Decision Date: 22.05.2015</p>	

Ref ID: LA04/2019/1540/F

Proposal: Centralised Anaerobic Digestion (CAD) plant to include a bunded tank farm, (6no. digester tanks, 2no. buffer tanks. 1no. storage tank and associated pump rooms), biogas holder, biogas conditioning system, temperature control system, waste-water treatment plant (WWTP), motor circuit control room building, hot/cold water recovery system, feedstock reception and digestate treatment building, product storage building, odour control system and associated tanks, emergency gas flare, back-up boiler, administration/office building, car parking, 3no. weighbridges, fire water tank and pump house, pipelines to existing combined heat and power (CHP) plant engines, switchgear, earth bunding, 3no. accesses to existing Giant's Park Service road infrastructure and ancillary plant/site works.

Address: Lands to the northwest of existing Belfast City Council Waste Transfer Station, (2a Dargan Road, Belfast, BT3 9JU).

Decision: Application under consideration.

Ref ID: LA04/2019/1612/PAN

Proposal: Construction of film studios complex including ancillary offices, workshops, ancillary car parking, servicing & access from existing internal access road, landscaping and associated site works.

Address: Lands immediately north & south of existing film studios, north of Dargan Road, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's Park).,

Decision: PAN Acceptable

Decision Date: 31.07.2019

Ref ID: Z/2014/1279/F

Proposal: Provision of new upgrade of existing roads infrastructure and associated site capping together with associated landscaping and site works

Address: Lands of the former Dargan Road land fill site, to the north of Dargan Road, Belfast,

Decision: Permission Granted

Decision Date: 24.04.2015

Ref ID: Z/2004/1294/F

Proposal: Application to infill land with excavation and demolition materials for land reclamation purposes

Address: Belfast City Council Land, North Foreshore, Dargan Road, Belfast.

Decision: Permission Granted

Decision Date: 08.02.2005

Ref ID: LA04/2015/0982/PAN

Proposal: Construction of film studios complex, associated yards, car parking & access. Film studios to comprise four separate buildings as follows;

Production (37,450 sq ft.)

Stage 01 & stage 02 (66,000 sq ft.)

Stage 03 (45,000 sq ft.)

Workshop 01, 02 & 03 (46,170 sq ft.)

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility), adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park),

Decision: PAN Acceptable

Decision Date: 15.12.2016

Ref ID: Z/2010/1178/F

Proposal: Provision of management system for landfill gas, comprising capping, and installation of gas abstraction wells and pipework. Surface-water drainage and foul sewerage. Provision of services.

Address: North Foreshore Site, Dargan Road, Belfast, BT3 9JU,

Decision: Permission Granted

Decision Date: 30.08.2013

Ref ID: Z/2006/1545/F

Proposal: Provision of management system for landfill gas, comprising capping, installation of gas abstraction wells and pipework (gas to be drawn off to be flared at a nearby existing facility), surface-water drainage, site access road and foul sewerage.

Address: Dargan Road Landfill Site, Dargan Road, Belfast.

Decision: Permission Granted

Decision Date: 30.08.2007

Ref ID: LA04/2015/1605/F

Proposal: Film studios complex comprising production, studio and workshop buildings, associated service yards, car parking, access to service roads under construction (Z/2014/1279/F), landscaping and ancillary works including 3No stand-alone transformer compounds, security hut and proposed headwall (amended description)

Address: Land approximately 300m north of Dargan Road (North of Belfast City Council Waste Management Facility) adjacent to Belfast Lough, Belfast (within wider Belfast City Council lands known as North Foreshore/Giant's park, with access from Dargan

Decision: Permission Granted

Decision Date: 25.02.2016

Ref ID: Z/2008/0228/F

Proposal: Management System for landfill gas, comprising capping, installation of gas abstraction, wells and pipework (gas to be drawn off to be flared at a nearby existing facility), and site access. Landscaping.

Address: North Foreshore Site, Dargan Road, Belfast

Decision: Permission Granted

Decision Date: 26.03.2009

Briefing - NFS Phase 2_Section 54 application, Condition Summary

August 2021

Condition Review

No.	Existing Condition	Proposed Condition	Justification
1.		No change	n/a
2	<p>The development hereby approved shall not become operational until the vehicular access, including visibility splays and any forward sight distance are provided in accordance with Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</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>	<p>Development in any particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, shall not become operational until the vehicular access, including visibility splays and any forward sight distance associated with each sub phase are provided in accordance with Drawing No. RPS-HGN-XX-DR-C-100-0002 Revision P1.2 'Proposed Road Layout Sheet 1', published by the Belfast City Council Planning Office on 15 April 2020 and Drawing No. RPS-HGN-XX-DR-C-100-0003 Revision P1.2 'Proposed Road Layout Sheet 2', published by the Belfast City Council Planning Office on 15 April 2020. The area within the visibility splays and any forward sight line shall, with the exception of existing trees, be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway and such splays shall be retained and kept clear thereafter.</p>	<p>Amendment of the condition to permit part of the development advancing to construction/operation does not compromise the reason for the condition and its control to ensure infrastructure associated with the development is delivered.</p>
3		No change	n/a
4		No change	n/a
5		No change	n/a
6		No change	n/a
7	<p>The development hereby permitted shall not commence unless a final Construction Environmental Management Plan has been submitted to and approved in writing by the Council. This Plan must outline the methods to be employed to minimise any environmental impacts during site preparation and construction works, demonstrating the use of best practicable means. All site preparation and construction works thereafter must be carried out in accordance with the approved Construction Environmental Management Plan.</p> <p>Reason: Protection of human health and the environment and amenity of nearby premises.</p>	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021 until the Construction Environmental Management Plan for that sub-phase in its entirety has been submitted to and approved in writing by the Council. This Plan must outline the methods to be employed to minimise any environmental impacts during site preparation and construction works, demonstrating the use of best practicable means. All site preparation and construction works thereafter must be carried out in accordance with the approved Construction Environmental Management Plan.</p>	<p>Comprehensive Environmental Reporting was undertaken in support of the planning permission including an Outline Construction Environmental Management Plan. Associated mitigation measures and methodology were presented.</p> <p>Permitting the phased part construction and operation of the development does not compromise those measures and the requirement for a CEMP as the parts of the development progress ensure the relevant checks and measures can be undertaken by the Council in line with the reasoning for the condition.</p>

8		No change	
9	<p>The development hereby permitted shall not be commenced unless a detailed Remediation Strategy has been submitted to and approved in writing by the Council. The Remediation Strategy must demonstrate how the pollutant linkages identified within the agreed Quantitative Risk Assessment are to be demonstrably broken and no longer pose a potential risk to human health. The Strategy must also detail how the proposed remedial works are to be verified. The detailed Remediation Strategy must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance, and must meet the requirements of the Belfast City Council North Foreshore Developer's Guidance Note. All construction thereafter must be in accordance with the approved Detailed Remediation Strategy.</p> <p>Reason: Protection of human health</p>	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a detailed Remediation Strategy for that sub-phase in its entirety has been submitted to and approved in writing by the Council. The Remediation Strategy must demonstrate how the pollutant linkages identified within the agreed Quantitative Risk Assessment are to be demonstrably broken and no longer pose a potential risk to human health. The Strategy must also detail how the proposed remedial works are to be verified. The detailed Remediation Strategy must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance, and must meet the requirements of the Belfast City Council North Foreshore Developer's Guidance Note.</p>	<p>Permitting the phased approach to construction and operation of the development does not compromise those measures and the requirement for a Remediation Strategy as the parts of the development progress. This ensure the relevant checks and measures can be undertaken by the Council in support of the reasoning for the condition.</p>
10	<p>The development hereby approved shall not become operational unless a Verification Report has been submitted to and approved in writing by the Council which demonstrates that all required remedial measures have been incorporated within the proposal. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed detailed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p>	<p>Development in any particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, shall not become operational unless a Verification Report, demonstrating that all required remedial measures have been incorporated for that sub-phase in its entirety, has been submitted to and approved in writing by the Council. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed detailed Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p>	<p>Permitting the phased approach to construction and operation of the development does not compromise those measures and the requirement for a Verification Report as the parts of the development progress. This ensure the relevant checks and measures can be undertaken by the Council in support of the reasoning for the condition.</p>
11		No change	n/a
12	<p>No construction of the development hereby permitted shall commence unless a Construction Noise Vibration and Dust Management Plan (CNV&DMP) has been submitted to and approved in writing by the Council. The Plan must outline the methods to be employed to minimise any noise and vibration associated with construction operations, demonstrating the use of 'best practicable means'. The plan must have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014, Code of practice for noise and vibration on construction and open sites. All construction works thereafter must be carried out in accordance with the approved CNV&DMP.</p> <p>Reason: Protection of amenity of nearby premises.</p>	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a Construction Noise Vibration and Dust Management Plan (CNV&DMP) for that sub-phase in its entirety has been submitted to and approved in writing by the Council. The Plan must outline the methods to be employed to minimise any noise and vibration associated with construction operations, demonstrating the use of 'best practicable means'. The plan must have due regard to Parts 1 and 2 of BS 5228:2009+A1:2014, Code of practice for noise and vibration on construction and open sites. All construction works thereafter must be carried out in accordance with the approved CNV&DMP.</p>	<p>A Noise Assessment was submitted in support of the planning permission.</p> <p>Permitting the phased approach to construction and operation of the development does not compromise those measures and the requirement for a CNV&DMP as the parts of the development progress. This ensure the relevant checks and measures can be undertaken by the Council in support of the reasoning for the condition.</p>
13	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan has been submitted to and</p>	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05</p>	<p>Comprehensive Environmental Reporting was undertaken in support of the planning permission.</p>

	<p>approved in writing by the Council. This shall reflect all the mitigation and avoidance measures detailed in the outline CEMP, Artificial Lighting Assessment, Drainage Assessment and HRA carried out by RPS on behalf of Belfast Harbour Authority. The Final CEMP must confirm details of the chosen piling method. If this differs from the method detailed in the HRA then an assessment of impact to marine mammals shall be included. The Final CEMP should reflect the recommendations of NIEA: NED in its consultation response 17/04/20. The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing with by the Council.</p> <p>Reason: To ensure that the appointed contractor undertaking the work is fully apprised of all the risks associated with the proposal and to provide effective mitigation ensuring there are no adverse impacts on the integrity of Belfast Lough SPA/Ramsar, Belfast Lough Open Water SPA, East Coast (NI) Marine proposed SPA or to mobile features associated with North Channel SAC or The Maidens SAC.</p>	<p>August 2021, until a Final Construction Environmental Management for that sub-phase has been submitted to and approved in writing by the Council. This shall reflect all the mitigation and avoidance measures detailed in the outline CEMP, Artificial Lighting Assessment, Drainage Assessment and HRA carried out by RPS on behalf of Belfast Harbour Authority. The Final CEMP for each sub-phase must confirm details of the chosen piling method. If this differs from the method detailed in the HRA then an assessment of impact to marine mammals shall be included. The Final CEMP for each sub-phase should reflect the recommendations of NIEA: NED in its consultation response 17/04/20. The approved CEMP for each sub-phase shall be adhered to and implemented throughout the construction period in accordance with the approved details, unless otherwise agreed in writing with by the Council.</p>	<p>Associated mitigation measures and methodology were presented within shadow Habitat Regulation Assessment, Noise Assessment, Ecological Impact Assessment, Air Quality Assessment, outline CEMP, Water Quality Assessment.</p> <p>Permitting the phased part construction and operation of the development does not compromise those measures and the requirement for a CEMP as the parts of the development progress ensure the relevant checks and measures can be undertaken by the Council in support of the protection of human health which is the reasoning for the condition.</p>
14		No change	n/a
15	<p>The development hereby permitted shall not be commenced unless suitable risk assessments and supporting data have been submitted to and approved in writing by the Council. These shall identify all unacceptable risks to health and the water environment. The investigations shall include, but not be restricted to:</p> <ul style="list-style-type: none"> Identifying all potential contaminant sources within the planning boundary. Site investigations and groundwater monitoring designed and implemented in accordance with British Standard BS 10175:2011 + A2:2017 – ‘Code of practice for investigation of potentially contaminated land sites’ to identify the contamination risks associated with the potentially contaminating activities which took place at this site or in the surrounding area. Provision of risk assessment(s) in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks to identify all unacceptable risks to health and the water environment and provision of remedial criteria to be met through a remedial strategy. These works are required to ensure that the land will be in a condition suitable for the development. <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>	<p>No development shall commence in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, unless suitable risk assessments and supporting data have been submitted to and approved in writing by the Council. These shall identify all unacceptable risks to health and the water environment in each sub-phase. The investigations shall include, but not be restricted to:</p> <ul style="list-style-type: none"> Identifying all potential contaminant sources within the planning boundary. Site investigations and groundwater monitoring designed and implemented in accordance with British Standard BS 10175:2011 + A2:2017 – ‘Code of practice for investigation of potentially contaminated land sites’ to identify the contamination risks associated with the potentially contaminating activities which took place at this site or in the surrounding area. Provision of risk assessment(s) in accordance with the Land Contamination: Risk Management (LCRM) guidance available at https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks to identify all unacceptable risks to health and the water environment and provision of remedial criteria to be met through a remedial strategy. These works are required to ensure that the land will be in a condition suitable for the development. 	<p>Comprehensive Environmental Reporting was undertaken in support of the planning permission. Associated mitigation measures and methodology were presented.</p> <p>Permitting the phased part construction and operation of the development does not compromise those measures and the requirement for associated contamination requirements as the parts of the development progress ensure the relevant checks and measures can be undertaken by the Council in support of the protection of environmental receptors which is the reasoning for the condition.</p>

16	<p>The development hereby permitted shall not be commenced unless a detailed Remediation Strategy to address all unacceptable risks to receptors identified at Condition 15 has been submitted to and approved in writing by the Council. This must identify all unacceptable risks, the remedial objectives / criteria and the measures which are proposed to mitigate them (including maps / plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program etc.).</p> <p>Reason: Protection of environmental receptors to ensure that the site is suitable for use.</p>	<p>No development shall take place in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, until a detailed Remediation Strategy, addressing all unacceptable risks to receptors identified at Condition 15 for that sub-phase, has been submitted to and approved in writing by the Council. This must identify all unacceptable risks, the remedial objectives / criteria and the measures which are proposed to mitigate them (including maps / plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program etc.).</p>	<p>Permitting variation of the condition for a Remedial Strategy to come forward addressing a phased approach to development does not compromise the ability to deal with the reason for the condition and its protection of environmental receptors.</p>
17	<p>No construction of the development hereby permitted shall commence unless a Piling Risk Assessment has been submitted to and approved in writing by the Council. Piling risk assessments must be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0202bisw-e-e.pdf 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.</p> <p>Reason: Protect of environmental receptors to ensure the site is suitable for use.</p>	<p>No development shall commence in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, unless a Piling Risk Assessment for that sub-phase has been submitted to and approved in writing by the Council. Piling risk assessments must be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention", available at: http://webarchive.nationalarchives.gov.uk/20140328084622/http://cdn.environmentagency.gov.uk/scho0202bisw-e-e.pdf 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.</p>	<p>Permitting a variation to the condition wording to enable a phased approach does not compromise the reason for the condition. The need for the Piling Risk Assessment to address each specific part of the development ensures the reason for the condition are protected i.e. protection of environmental receptors.</p>
18		No change	n/a
19	<p>After completing any remediation works required under Conditions 15-18, and prior to the operation of the development, a Verification Report must be submitted in writing and agreed with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>	<p>After completing any remediation works required under Conditions 15-18, and prior to the operation of each sub phase a Verification Report for each sub-phase shall be submitted in writing and agreed with the Council. This report must be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance. The verification report shall present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p>	<p>Permitting a phased approach does not compromise the foundation and reason for the condition. The need for the Verification Report to address each specific part of development ensures the reason for the condition are protected i.e. protection of environmental receptors.</p>
20	<p>No construction of the development hereby permitted shall commence unless a Final Construction Environmental Management Plan detailing all Pollution Prevention measures has been submitted to and approved in writing by the Council. NIEA Water Management Unit require the CEMP at least 8 weeks prior to the commencement of construction to ensure effective avoidance and</p>	<p>No development shall commence in a particular sub-phase, as identified in the phasing plan titled RPP-XX-XX-DR-A-PL10001 RevC dated 05 August 2021, unless a Final Construction Environmental Management, detailing all Pollution Prevention measures, for that sub-phase has been submitted to and approved in writing by the Council. NIEA Water Management Unit require the CEMP at least 8 weeks prior to</p>	<p>Comprehensive Environmental Reporting was undertaken in support of the planning permission. Associated mitigation measures and methodology were presented.</p>

	mitigation methodologies have been planned for the protection of the water environment. Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment	the commencement of construction to ensure effective avoidance and mitigation methodologies have been planned for the protection of the water environment.	Permitting the phased part construction and operation of the development does not compromise those measures and the requirement for a CEMP as the parts of the development progress ensure the relevant checks and measures can be undertaken by the Council in support of the protection of the water environment which is the reasoning for the condition.
21	No construction of the development hereby permitted shall commence unless a Final Drainage Assessment compliant with Annex D of PPS 15 has been submitted to and approved in writing by the Council. Reason: To safeguard against flood risk to the development and elsewhere.	No construction of the development hereby permitted shall commence in a particular sub-phase, unless a Final Drainage Assessment, compliant with Annex D of PPS 15, for that sub-phase has been submitted to and approved in writing by the Council.	A Drainage Assessment was undertaken in support of the planning permission. Associated indicated drainage design was presented. Permitting a phased approach to development does not deviate from the findings of the reporting associated with the original permission or reason for the condition.
22		No change	n/a
23		No change	n/a
24		No change	n/a
25		No change	n/a
26		No change	n/a
27	All soft landscaping works shall be carried out in accordance with the detail on Planting Plans Sheet 1 and 2 published by the Council on 2 July 2020. The works shall be carried out prior to the occupation of the development hereby approved unless otherwise agreed with the Council and shall be permanently retained thereafter. 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 available planting season with other trees or plants of a similar species and size, details of which shall have first been submitted to and approved in writing by the Council. Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.	All soft landscaping works shall be carried out in accordance with the detail on Planting Plans Sheet 1 and 2 published by the Council on 2 July 2020. The works associated with each sub-phase shall be carried out prior to the occupation of that part of the development hereby approved unless otherwise agreed with the Council and shall be permanently retained thereafter. 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 available planting season with other trees or plants of a similar species and size, details of which shall have first been submitted to and approved in writing by the Council.	Permission to bring forward discrete components of the development will ensure high quality landscaping as the permission is implemented. The reason for the condition is not compromised.
28		No change	n/a
29		No change	n/a