

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

7th December, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Lavery Room - City Hall on Tuesday, 12th December, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

- 10 (e) **LA04/2022/0097/F** - Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings) - 22-30 Hopefield Avenue (Pages 1 - 14)

Development Management Officer Report Committee Application

Summary	
Application ID: LA04/2022/0097/F	Committee Meeting Date: 12th December 2023
Proposal: Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1 Social Housing) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works (Amended Drawings)	Location: 22-30 Hopefield Avenue Belfast BT15 5AP
Referral Route: Through 3.8.2 of the Scheme of delegation where a representation has been received which conflicts with the Planning Officer's recommendation	
Recommendation: Approve with conditions	
Applicant Name and Address: NB Housing 282-290 Crumlin Road Belfast BT14 7ED	Agent Name and Address: Rolston Architects 49 Lisleen Road Belfast BT5 7SU
Executive Summary: This application seeks full planning permission for a proposed three and a half storey residential development comprising of 18no. units and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works. The key issues are: <ul style="list-style-type: none"> • Principle of development • Affordable housing and Housing Mix • Design, layout and impact on the character and appearance of the area of townscape character • Climate change • Accessible and adaptable accommodation • Access and parking • Drainage • Noise, odour and other environmental impacts including contamination 	
Recommendation Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions. Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and the Section 76 Planning Agreement, and deal with any issues arising from the outstanding SES response if necessary.	

Officer Report

1.0 Drawings

1.1 Fig 1.Site Location Plan



1.2 Fig 2. Proposed site Layout



2.0 Characteristics of the Site and Area

2.1 The site is situated on Hopefield Avenue, Belfast, which connects to both the Antrim Road and Cavehill Road. The surrounding area is characterised largely by residential terraces dating from the Victorian and Edwardian period.

2.2 The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site is a sustainable location for new housing with good access to amenities, shops, services,

2.3	employment and public transport. The proposed development makes effective use of previously developed land, land being a finite resource. The site is un-zoned in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The site is located within the Lower Cavehill Area of Townscape Character, in accordance with dBMAP.
3.0	Description of Proposal
3.1	Proposed three and a half storey residential development comprising of 18no. units (3no. wheelchair apartments and 15no. Category 1) and associated access, bin storage, boundary treatments, bike stands, car parking and site and landscaping works.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (DfI)
4.5	Relevant Planning History <ul style="list-style-type: none"> - Z/2003/1206/F - Refurbishment of building as office and storage as existing use. Permission granted. - Z/2006/2781/F - Demolition of existing commercial buildings and erection of 16No. apartments and associated sitework. Permission granted. - Z/2008/0799/F - Demolition of existing commercial buildings and erection of 24No. apartments and associated site works. Permission granted.
5.0	Consultations and Representations
5.1	Statutory Consultations DfI Roads – Content subject to conditions DfI Rivers – Content subject to conditions NI Water – Refusal DAERA NIEA – Content subject to conditions
5.2	Non-Statutory Consultations BCC Environmental Health – Content subject to conditions BCC Plans & Policy team – Advice provided Shared Environmental Services (SES) – Outstanding. NIHE – In support of the application
5.3	Whilst consultees may have referred to the no longer extant Planning Policy Statements in their consultation responses, the equivalent policies in the Plan Strategy are either the same or sufficiently similar to not require the consultees to re-evaluate the proposal in the context of the Plan Strategy.

5.4	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received four objections to the proposal.</p>
5.5	<p>Objections: 4</p> <p>The objections raised the following issues:</p> <ul style="list-style-type: none"> • Impact on character and appearance of the Area of Townscape Character • Overdevelopment • Parking arrangements • Loss of light • Damage to street trees
5.6	<p>These issues have been fully assessed within the planning assessment section of the report, however the application is considered acceptable for the reasons set out in the below assessment.</p>
6.0	<p>PLANNING ASSESSMENT</p>
	<p>Development Plan Context</p>
6.1	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.2	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>
6.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application.</p> <ul style="list-style-type: none"> • Policy SD2 – Settlement Areas • Policy HOU1 – Accommodating new homes • Policy HOU2 – Windfall housing

6.7	<ul style="list-style-type: none"> • Policy HOU4 – Density of residential development • Policy HOU5 – Affordable housing • Policy HOU6 – Housing mix • Policy HOU7 – Adaptable and accessible accommodation • Policy DES1 – Principles of urban design • Policy RD1 – New residential developments • Policy TRAN6 – Access to public roads • Policy TRAN8 – Car parking and servicing arrangements • Policy TRAN10 – Design of car parking • Policy ENV1 – Environmental quality • Policy ENV2 – Mitigating environmental change • Policy ENV3 – Adapting to environmental change • Policy ENV5 – SuDS • Policy OS3 – Ancillary open space • Policy NH1 – Protection of natural heritage resources • Policy BH3 – Area of townscape character • Policy TRE1 – Trees <p>Key Issues</p> <p>The key issues are:</p> <ul style="list-style-type: none"> • Principle of development • Affordable housing and Housing Mix • Design, layout and impact on the character and appearance of the area of townscape character • Climate change • Accessible and adaptable accommodation • Access and parking • Drainage • Noise, odour and other environmental impacts including contamination
6.8	The adoption of the Plan Strategy requires the following updated assessment.
6.9	<p><u>Additional Information</u></p> <p>Officers requested that the applicant provided a “Plan Strategy Statement” that sets out how the proposal complies with the relevant policies in the Plan Strategy. Where the proposal does not meet the policy requirements, the applicant was asked to either modify the proposal or justify why they are not proposing to change the proposal. The applicant has subsequently provided a Plan Strategy Statement, which seeks to demonstrate compliance with the relevant policies.</p> <p>The Planning Service’s Plans and Policy team has been consulted on the applicant’s Plan Strategy and have provided advice. No further consultations have been considered necessary following adoption of the Plan Strategy.</p>
6.10	<p><u>Principle of development</u></p> <p>The site is located within the development limit in the Belfast Urban Area Plan 2001 and both versions of the draft Belfast Metropolitan Area Plan 2015 (v2004 and v2014). The presumption is therefore in favour of development subject to planning considerations detailed below. The proposal is compliant with Policy HOU1, accommodating new homes as it will meet the delivery of housing supply in Belfast City. Policy HOU2, Windfall Housing is also met as the proposal is situated on previously developed land.</p>

6.11

Design, layout and impact on the character and appearance of the area

The proposed development, by reason of its form, scale, layout, design and materials, is in keeping with the site and its surrounding area. The proposal is compliant with Policy RD1 of the Plan Strategy 2035 and meets the below criteria:

- a. *Will not create conflict with adjacent land uses, remaining in conformity with the character of any established residential area:*

The site is in a primarily residential area and the proposed layout will not conflict with the established uses in the surrounding area. There is a total of 18 social housing units proposed, comprising of 3person/2bed accommodation. The principal elevation is 3 storey with an additional floor above (attic) that is adjoined to a 3 storey terrace stretch and is therefore in keeping with the surrounding housing units. The proposed finishes are to consist of grey/black coloured roofs with red facing brick indicated on elevation drawings, which is in keeping with the surrounding area. The finishes reflect that of the surrounding area and compliment the traditional built form. The proposed development will be enhanced by quality hard and soft landscaping around the buildings.

It is considered that the overall design, scale and massing will not create conflict with adjacent land uses. The proposal will create a quality residential environment that creates an attractive, locally distinctive and appropriate design in relation to the surrounding area.

- b. *Does not unduly affect the privacy of amenity of neighbouring residents, including overlooking, loss of light, overshadowing, dominance, noise or other disturbance:*

The layout/aspect of all buildings within the site is such that there will be no significant overlooking into neighbour properties. There is a separation distance of approximately 15m from the rear wall of the proposed 2 storey element to the rear gable of the flats at Marsden Gardens. The separation distance is considered acceptable and in keeping with the guidance in Creating Places. There is also a similar separation distance between the existing properties located at Loughrey Court and those terraces situated on Marsden Gardens. The separation distance will ensure that dominance and overshadowing will not occur to an acceptable degree.

- c. *Makes provision for, or is accessible and convenient to public transport and walking and cycling infrastructure*

The development site is approximately 1-200m from Bus Links that are situated on the on both the Antrim and Cavehill Road. The bus links form connections to all areas beyond the city centre. The surrounding area does not provide adequate cycling infrastructure, however there is accessibility to bus lanes to cycle to destinations within the city.

- d. *Provides adequate open space:*

The proposed units benefit from the provision of private rear amenity space bound by a 1800mm boarded fence and an area of private amenity space to the front bound by a red brick wall and metal railing at approximately 1350mm. The rear gardens are approximately 170sqm (not including gardens to the front) in size, this level of provision is in accordance with the standards set out in the Creating Places guidance document.

- e. *Keeps hard surfacing to a minimum*

Car parking is considered to not dominate the residential development as the rear of the property contains an abundance of soft landscaping.

	<p><i>f. Creates a quality and sustainable residential environment in accordance with the space standards set out in appendix C.</i> The proposed scheme is in keeping with the space standards as set out in appendix C. The proposal consists of 3-person/ 2-bedroom apartments which are required to be 60sqm. The applicant's PS statement claims that all wheelchair units are between 80-85m2, and all other units are between 60-65m2.</p> <p><i>g. Does not contain units which are wholly in the rear of the property, without direct, safe and secure access form the public street; and</i> Whilst a number of the apartments are to the rear these can be accessed securely from the public street and from the private communal gardens.</p> <p><i>h. Ensures that living rooms, kitchens and bedrooms have access to natural light</i> All units provide ample light through to living rooms, bedrooms and kitchens.</p>
6.12	Further to policy RD1, the proposal complies with the criteria set out in A-K of Policy DES 1- Principles of Urban Design in that the scheme is of a high quality, sustainable design and makes a positive contribution to placemaking.
6.13	The proposal falls within the Lower Cavehill Area of Townscape Character. The area is largely residential with a townscape dating from the Victorian and Edwardian period with terraces hard to building edge or behind small front plots. Front facades are articulated with bay windows and cornice detailing. It is considered that the replacement building is sympathetic to the characteristics of the area and is an enhancement from what previously existed. Therefore, the proposal is in compliance with Policy BH3.
6.14	<p><u>Climate change</u></p> <p>The proposal maximises opportunities to incorporate sustainable design features where feasible. The applicant submitted a Climate Change Compliance Statement outlining the following features:</p> <ul style="list-style-type: none"> • A fabric first approach will be taken in choosing of materials and products within the development. This improves thermal comfort for the occupiers and reduced energy usage. • High performance insulation and energy efficient windows to improve the thermal envelope. • Lighting within stores, stairwells, communal hallways, and 'unpopulated' areas will be by means of movement sensor, thus minimising usage and wastage. • All white goods will be rated 'E' or above. • Each of the new apartments will be equipped with a 'pack' to inform occupiers about the efficient use of their heating and lighting systems. • Each of the new apartments will be equipped with an independent heating system, with individual time and temperature controls. • The 'common' entrance hallway leading from the main entrance and entrance stairwell, will be equipped with a separate independent heating system, with a separate temperature control system. • We will prioritise the use of sustainable materials during construction, focusing on those with low embodied energy and a minimal carbon footprint. The aim will be to source materials locally whenever possible, to reduce transportation related emissions.
6.15	It is accepted that the existing structure on site is unlikely to be beneficially changed to alternative uses and that the proposal has merit in terms of providing more sustainable/efficient buildings and uses.

6.16	By prioritising energy efficiency, sustainable materials, water conservation, waste management, and community engagement the proposal is compliant to Policy ENV 2- Mitigating Environmental Change in that it demonstrates opportunities to incorporate sustainable design features where feasible. It is considered that the proposal incorporates measures to adapt to environmental change including part d and h of Policy ENV3 of the Plan Strategy.
6.17	Furthermore, the submission states that there will be a considerable increase in trees and landscaping which will help improve the surface drainage and reduce run-off, as well as increase green infrastructure on site complying with Policy ENV2 and TRE1.
6.18	The LDP Environment team has accepted that the open space landscaped areas are an appropriate response to SuDS features but highlight that there are further opportunities to include more measures. However, the proposal on balance complies with Policy ENV5.
6.19	<u>Affordable housing and Housing Mix</u>
6.20	HOU5- Affordable Housing of the of the Plan Strategy 2035 states that planning permission will be granted for residential development on sites greater than 0.1 hectares and or more dwelling units where a minimum of 20% of units are provided as affordable housing. All 18 of the proposed units will be provided as affordable housing (100% provision).
6.21	<p>However, Policy HOU5 requires that affordable housing should contain a mix of social rented housing/ and or intermediate housing. The affordable and housing mix SPG recognises at section 3.2.1 that a small-scale development involving 100% social housing may be deemed to meet the requirements of Policy HOU5 where an identified need is addressed and the proposal is able to contribute towards balanced communities and paragraph 4.4.11 notes that 'proposals for single tenure social housing consisting of 12 units or more, will only be permitted in exceptional circumstances'. Section 4.4.14 continues to state that whether a proposal for mono-tenure social housing is deemed to deliver sustainable and balanced communities will be assessed on a case-by case basis using the following factors:</p> <ul style="list-style-type: none"> - The level of social housing need in the vicinity of the site and the availability of land to address such needs; - The wider tenure and characteristics of and are, in order to minimise large areas of single tenure social housing; and - Whether a scheme is proposed as 'sharing housing'
6.22	NIHE have confirmed a need for social housing in this location based on the waiting list through a consultation response and are supportive of the proposal. Although there does appear to be other land available in the general area, the surrounding area is not dominated by social housing. Therefore, the proposal is complaint with Policy HOU5.
6.23	The proposed housing mix has been informed by an analysis of the prevailing housing need in the area. Support for the proposed housing mix has been confirmed by NIHE for social housing through consultation stating that there is a need for two-bedroom houses in the area. Therefore, the housing mix is considered acceptable having regard to policy HOU6 of the Plan Strategy 2035.
6.24	Policy HOU4 sets density bands to be used as a guide to inform proposed developments within the relevant settlement/character areas and states development proposals outside of these broad bands will be considered on their merits, subject to meeting all other policy requirements.
6.25	Whilst the Settlement Areas are yet to be fully established in advance of the LPP, the site most logically aligns with the inner city character area and therefore in terms of Policy

	<p>HOU4 the assigned average density band of 75-150dph applies. The current application indicates that the number of residential units to be accommodated within the proposed scheme totals 18 units. Given the site area, the proposed density equates to around 151dph which is at the top end of the average density band for Inner city Belfast. Therefore, the proposal is complaint to Policy HOU4.</p>
6.26	<p><u>Adaptable and Accessible Housing</u> Policy HOU7 of the Plan Strategy states that all new homes should be designed in a flexible way to ensure that housing is adaptable throughout all stages of life, maximising the ability for occupants to remain in their homes and live independent lives for as long as possible. For schemes of 10 units or more, at least 10% of the units should be wheelchair accessible.</p> <p>The scheme contains 18 total units, meaning under HOU7, 2 of these would need to meet wheelchair accessible criteria. The proposal contains 3No. wheelchair accessible units, which appear to meet criteria g. to o., so HOU7 has been met in this case.</p>
6.27	<p><u>Access, movement, and parking</u> DFI Roads have been consulted on the application and provide no objection subject to conditions. Therefore, Policy TRAN 6/8/10 have been complied with.</p>
6.28	<p><u>Drainage</u> Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and resolve any matters arising from the outstanding consultation response from SES in the event this is not received prior to Committee.</p>
6.29	<p><u>Waste-water infrastructure</u> NI Water has objected to the proposal on grounds of insufficient capacity at the local war-water treatment plan. It advises that existing public waste-water infrastructure cannot currently support the proposal without significant risk of environmental harm, potential pollution, flood risk and harm to local amenity. However, no clear evidence has been provided to demonstrate specific harm resulting from the development. Moreover, NI Water has a duty to connect committed development across the city to its waste-water infrastructure. Such development, which includes significant levels of residential and commercial floor space across the city, will not all come forward at once and some may not come forward at all. For these reasons, it would be unreasonable for the Council to refuse planning permission on these grounds and the proposal is acceptable having regard to Policy SP1A of the Plan Strategy.</p>
6.30	<p>Accordingly, it has been necessary to consult SES and DAERA. SES are still outstanding, however should their response be that the proposal would not have an adverse effect on the integrity of any European site either alone or in combination with other plans or projects, mitigation in the form of a planning condition can be added to prevent commencement of development until the method of sewage disposal has been agreed with NI Water. Delegated authority is requested to deal with any issues arising from the SES response when receive, and the additional of any necessary conditions.</p>
6.31	<p><u>Noise, odour and other environmental impacts including Contamination</u> The proposed site for social housing has been assessed by Environmental Health. Environmental Health have concluded that the remediation solutions to previously identified contaminated sources identified through a GQRA are acceptable. Conditions relating to contamination will be attached to an approved scheme.</p>
6.32	<p>With regards to air quality and noise, Environmental Health have recommended a condition that in the event that any centralised combustion sources (boilers, CHP or biomass) are proposed further details are to be submitted for review and approval. There were no concerns raised relating to general amenity and odour.</p>

7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions and a section 76 to secure the social housing on the site.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions and the S.76, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.
DRAFT CONDITIONS:	
<ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <i>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</i> 2. No dwelling shall be occupied until weather protected cycle parking has been fully provided in accordance with the approved plans. <i>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</i> 3. No dwelling shall be occupied until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained. <i>Reason: To ensure acceptable parking facilities on the site.</i> 4. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway. <i>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</i> 5. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure. <i>Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.</i> 6. The vehicular access, including visibility splays, shall be provided in accordance with the approved Drawing, prior to the occupation of any other works or other development hereby permitted. <i>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</i> 7. The development shall operate in accordance with the Travel Plan. <i>Reason: To encourage alternative modes of transport to the private car.</i> 8. Prior to the occupation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the report entitled Hopefield Avenue, Belfast Detailed Remedial 	

Strategy 787-B038678 First Issue Causeway Geotech Document prepared on behalf of Tetra Tech Consulting (Northern Ireland) Limited: No. NI667243. Dated June 2023 and the Tetra Tech cover letter entitled- Response to Belfast City Council Letter. Ref ST/JC/607104, 13th January 2022. Including Submission of Detailed Remediation Strategy. Ref: 787-B038678. Dated the 7th of June 2023.

The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use, residential without plant. It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance (C748 CIRIA & C735) and British Standards BS8485:2015+ A1:2019.

In particular, the Verification Report must demonstrate that:

- a) The final site layout is as per the drawing entitled- ROLSTON Architects, Proposed Site Layout Plan and Ground Floor Plan dwg.no. 21.1064 SK01G. Included in Detailed Remedial Strategy 787-B038678
- b) All fuel storage tanks, and associated infrastructure have been fully decommissioned and removed from the site in line with Guidance for Pollution Prevention (GPP2) and the Pollution Prevention Guidance (PPG27)
- c) All remaining soils beneath the tank locations are to be proven suitable for the proposed end-use (Residential without Plant Uptake).
- d) A minimum 500mm capping system has been emplaced in all communal landscaped areas formed from material that is demonstrably suitable for use (residential without plant uptake).
- e) Gas and VOC protection measures installed as per BS 8485:2015+A1:2019:
 - Cast in situ monolithic reinforced ground bearing raft with minimal penetrations or Precast suspended segmental subfloor
 - A gas resistant membrane which meets all requirements of Table 7 of BS 8485:2015+A1:2019.
 - Ventilation protection in the form of a 150mm passive sub floor void which provides at least good performance.
 - Gas protection measures must be verified in line with the requirements of CIRIA C735.
 - VOC vapour protection measures shall be installed and verified in accordance with the requirements of CIRIA C748.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

9. If during the carrying out of the development, new contamination is encountered that has not been previously identified, all related works shall cease immediately, and the Council shall be notified immediately in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. 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.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

10. No development should take place on-site until the method of sewage disposal

has been agreed in writing with Northern Ireland Water (NIW) or a Consent to discharge has been granted under the terms of the Water (NI) Order 1999.

Reason: Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

11. All fuel storage tanks (and associated infra-structure) must be fully decommissioned and removed in line with current Guidance for Pollution prevention (GPP 2) and the Pollution Prevention Guidance (PPG27) and the quality of surrounding soils and groundwater verified. Should contamination be identified during this process, Conditions 13 and 14 will apply.

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

12. In the event that piling is required, no development or piling work should commence on this site until a piling risk assessment, undertaken in full 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", has been submitted in writing and agreed with the Planning Authority. The methodology is available at:

<http://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>.

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

13. If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. In the event of unacceptable risks Regulation Unit being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

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

14. After completing the remediation works under Condition 13; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

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

SES conditions to be added on receipt of consultation responses.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
 - 01 – Site location plan
 - 02e – Proposed site layout and GF plan
 - 03b – Proposed first and second floor plan
 - 04c - Proposed third floor plan
 - 05c – Proposed front elevation and section
 - 06c – Proposed rear elevation and section
 - 07a – Proposed gable elevation and section

2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	04/04/2022
Date First Advertised	12/04/2022
Date Last Advertised	12/04/2022
Details of Neighbour Notification (all addresses) 5 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN 2 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN 10 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN 8 Loughrey Court,Belfast,Antrim,BT15 5AU 20 Hopefield Avenue,Belfast,Antrim,BT15 5AP 13 Hopefield Avenue,Belfast,Antrim,BT15 5AP 10 Loughrey Court,Belfast,Antrim,BT15 5AU 11 Hopefield Avenue,Belfast,Antrim,BT15 5AP 22-30 Catherwood House,Hopefield Avenue,Belfast,Antrim,BT15 5AP Unit 1,22-30 Catherwood House,Hopefield Avenue,Belfast,Antrim,BT15 5AP 8 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN Unit B - Rear Yard,22-30 Catherwood House,Hopefield Avenue,Belfast,Antrim,BT15 5AP 7 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN	

4 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
5 Hopefield Avenue,Belfast,Antrim,BT15 5AP
7 Loughrey Court,Belfast,Antrim,BT15 5AU
9 Hopefield Avenue,Belfast,Antrim,BT15 5AP
6 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
7 Hopefield Avenue,Belfast,Antrim,BT15 5AP
1 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
11 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
9 Loughrey Court,Belfast,Antrim,BT15 5AU
22-30 Catherwood House,Hopefield Avenue,Belfast,Antrim,BT15 5AP
3 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
9 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
Unit A - Rear Yard,22-30 Catherwood House,Hopefield Avenue,Belfast,Antrim,BT15 5AP
18 Hopefield Avenue,Belfast,Antrim,BT15 5AP
12 Marsden Gardens Flats,Belfast,Antrim,BT15 5AN
16 Hopefield Avenue,Belfast,Antrim,BT15 5AP