

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 Feb 2016	
Application ID: LA04/2015/0405/F	
Proposal: Pedestrian and cycle bridge (5.0m between parapets) with combined foot and cycle ramps from close to railway underpass on west bank to quay on east bank; pedestrian and cycle links to existing routes, car park, storm drainage, lighting and landscaping	Location: Lower Ormeau Embankment and River Terrace.
Referral Route: Committee - major application	
Recommendation:	Approval
Applicant Name and Address: Department for Regional development Clarence Court 10-18 Adelaide Street Belfast BT2 8GB	Agent Name and Address: Amey Rushmere House 46 Cadogan Park Belfast BT9 6HH
<p>Executive Summary:</p> <p>The application seeks full permission for a pedestrian and cycle bridge (5.0m between parapets) with combined foot and cycle ramps from close to railway underpass on west bank to quay on east bank; pedestrian and cycle links to existing routes, car park, storm drainage, lighting and landscaping. The main issues with this case are as follows:</p> <ul style="list-style-type: none"> • The principle of the proposed use at this location • Design and impact on the character of the area; and • Environmental Impacts of the proposal. <p>The site is located on and adjacent to the River Lagan in east Belfast adjacent to the Gasworks on the city side and Ormeau Playing Fields on the opposite site and comprises area of open/public space and the river Lagan itself.</p> <p>The Planning Act 2011 at section 45 states that the Council must have regard to the development plan. The site is located just inside the boundary designated for the city centre in BMAP. The siting broadly accords with zoning ref CC032/02 which refers to a pedestrian footbridge. CC032/02 states that siting is indicatively shown and refers to PPS 3 regarding the protection of bridge crossings. There are no design stipulations within the plan.</p>	

The proposed design consists of two pylons 26m in height above the High Tide Water Level, with cable supports connected to a walkway 5m in width. The overall span across the river extends to 143m. The design is modern in approach, and will not be visually discordant within the streetscape or adversely impact on the character of the area.

NIEA, Rivers Agency, and Inland Fisheries are satisfied that the proposal will not adversely impact on flora and fauna, or other aspect of the aquatic environment. Rivers have also confirmed that the proposal will not result in or be subject to Flood Risk. Shared Environmental Services are satisfied, subject to conditions that the proposal is in compliance with the Habitats Directive.

The proposal has been assessed against the SPPS, BMAP, PPS2, PPS3, PPS8, and PPS15.

No objections or representations have been received.

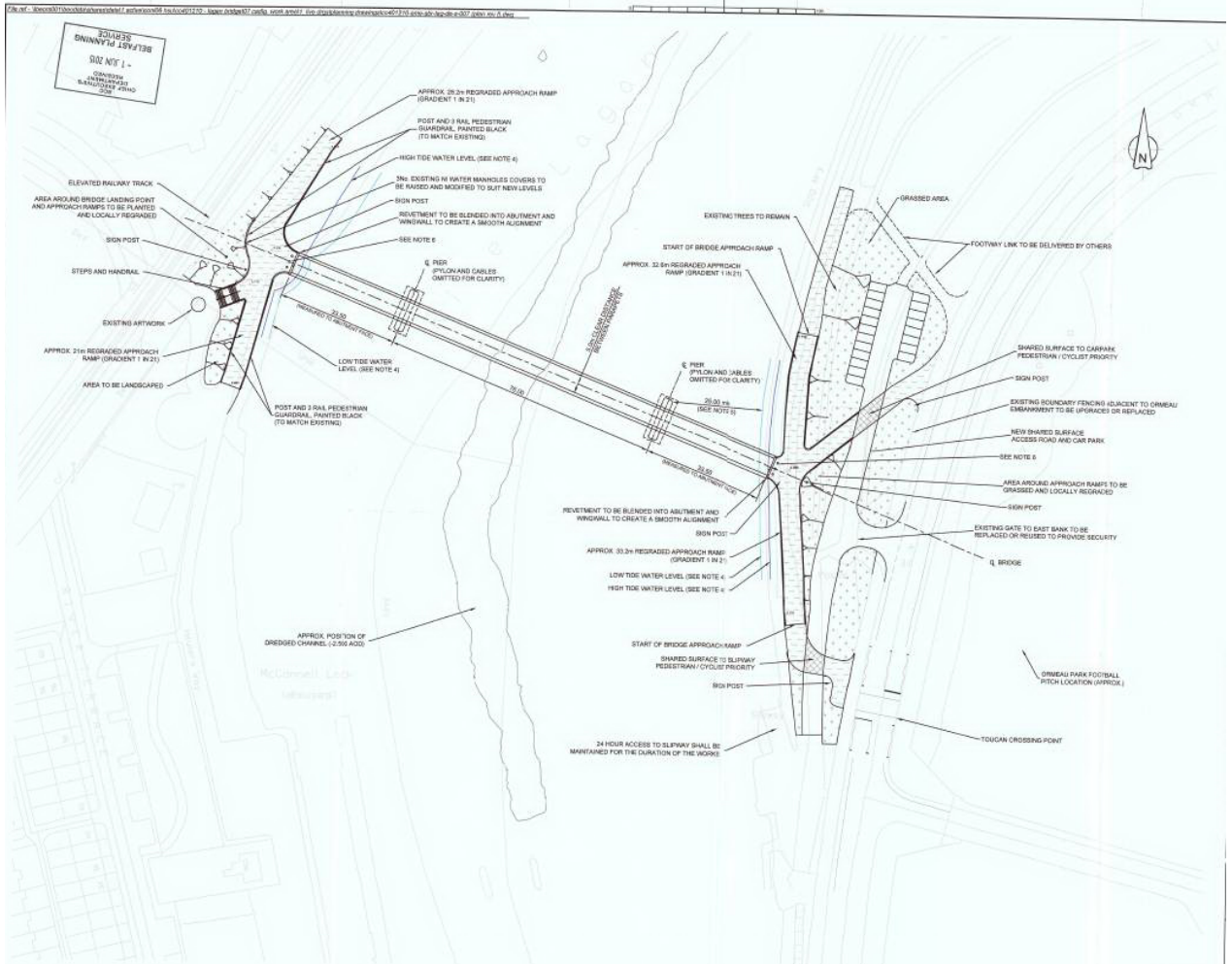
The scheme is compliant with the zoning in BMAP, all consultees are satisfied that no adverse Environmental Impacts will result and the design is acceptable

Recommendation

Approval is recommended subject to conditions.

Case Officer Report

Site Location Plan





Photograph 1: View of proposed crossing point from Riverside Terrace, Ormeau Road.





Plate 2: View along bridge deck (artists impression).

Consultations:

Consultation Type	Consultee	Response
Statutory	NIEA	No objection
Non Statutory	Env Health Belfast City Council	No objection
Non Statutory	NI Transport - Hydebank	No Objection
Non Statutory	NIEA	Substantive Response Received
Non Statutory	NI Water - Strategic Applications	No objection
Statutory	Rivers Agency	No objection
Non Statutory	DCAL- Inland Fisheries Group	No objection
Non Statutory	Northern Ireland Transport Holding Co	No objection
Non Statutory	Shared Environmental Services	No objection
Statutory	DSD Regeneration Belfast	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Representations from Elected Representatives	None received
1.0 Characteristics of the Site and Area	
<p>1.1 The site is located on and adjacent to the River lagan in east Belfast adjacent to the Gasworks on the city side and Ormeau Playing Fields on the opposite site and comprises area of open/public space and the River Lagan itself.</p> <p>There are mostly non residential / office uses adjacent to the site on the city centre side with parkland on the southern side.</p> <p>1.2 The application seeks full permission for a pedestrian and cycle bridge (5.0m between parapets) with combined foot and cycle ramps from close to railway underpass on west bank to quay on east bank; pedestrian and cycle links to existing routes, car park, storm drainage, lighting and landscaping.</p>	
Planning Assessment of Policy and Other Material Considerations	
2.0 Consultation Responses:	
<p>2.1 Transport NI – no objections;</p> <p>2.2 Environmental Health – no objections;</p> <p>2.3 NIEA – no objections;</p> <p>2.4 DCAL Inland Fisheries – no objections;</p> <p>2.5 NI Water – no objections;</p> <p>2.6 Rivers Agency – no objections;</p>	
3.0 Site history:	
3.1 none of relevance.	
4.0 Representations:	
4.1 None received.	
5.0 Relevant Policies:	
<p>5.1 Regional Development Strategy (RDS);</p> <p>5.2 Belfast Metropolitan Area Plan (BMAP);</p> <p>5.3 Strategic Planning Policy Statement (SPPS);</p> <p>5.4 Planning Policy Statement 2: Natural Heritage (PPS2);</p> <p>5.7 Planning Policy Statement 3 : Roads Considerations (PPS3); Development Control Advice Note 15;</p> <p>5.8 Planning Policy 8: Recreation and Open Space (PPS8);</p> <p>5.9 Planning Policy Statement 15: Planning and Flood Risk (PPS15)</p>	
6.0 Assessment:	
<p>6.1 The SPPS sets out five core planning principles of the planning system, including improving health and well being, supporting sustainable economic growth, creating and</p>	

enhancing shared space, and supporting good design and place making.

6.2 Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported. The SPPS states the majority of PPS's remain applicable under 'transitional arrangements', including PPS's 2, 3 and 8.

6.3 The Planning Act 2011 at section 45 states that the Council must have regard to the development plan. The site is located just inside the boundary designated for the city centre in BMAP. The siting broadly accords with zoning ref CC032/02 which refers to a pedestrian footbridge. CC032/02 states that siting is indicatively indicated and refers to PPS 3 regarding the protection of bridge crossings. There are no design stipulations within the plan. The sub text states bridges will improve connections within this part of the city.

6.4 The proposed design consists of two pylons 26m in height above the High Tide Water Level, with cable supports connected to a walkway 5m in width. The overall span across the river extends to 143m. The design is modern in approach, and will not be visually discordant within the streetscape or adversely impact on the character of the area.

Planning Policy Statement 3 : Roads Considerations

6.5 AMP4 states planning permission will not be granted for development that would prejudice the implementation of a transport scheme identified in a development plan. From of a review of the site history, there are no applications that would prejudice the proposal.

Planning Policy 8: Recreation and Open Space

6.6 Policy OS1 relates to the protection of open space. The proposal will not result in the loss of public open space on either bank and pedestrian walkways/linkages will be preserved. Some revisions to landscaped areas will be required and conditions are necessary to secure landscaping provision, maintenance, and management.

Environmental Impacts

6.7 An Environmental Statement was submitted with the application, following the methodology in the Highways Agency Design Manual for Roads and Bridges (DMRB) Volume 11 Environmental Assessment. the following topics are assessed:

- Air Quality
- Cultural Heritage
- Landscape
- Nature Conservation
- Geology and Soils
- Materials
- Noise and Vibration

- Effects on All Travellers
- Community and Private Assets
- Road Drainage and the Water Environment.

6.8 The key mitigation measures identified:

- A dust management plan shall be developed and implemented during the construction phase;
- A water quality monitoring programme will be implemented for the duration of in-river works to monitor sedimentation and potential contaminant release;
- Retained vegetation will be protected in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations;
- Vegetation will be removed outside of the bird nesting season which runs from March to August inclusive. Where this is not possible, an ecologist will perform a site check on any vegetation to be cleared to confirm no nesting birds will be harmed or disturbed;
- The contractor will be required to maintain access along the west bank towpath during construction. However, the towpath may require limited temporary closures for specific construction elements. In these circumstances advance warning of any closures of the towpath along with alternative routes will be provided. The appropriate diversion route will be developed in consultation with relevant stakeholders.
- The contractor will develop a site waste management plan to minimise waste and maximise use of existing resources; and
- Works will be undertaken during normal working hours only.

6.9 During the feasibility stage the Department considered nine options for the bridge, and following feedback from public consultation days, an additional two options were developed. Seven of these eleven options spanned bank to bank, with the remaining four extending over Ormeau Embankment, terminating in Ormeau Park. The Feasibility Report recommended that three of these options be taken forward for further assessment with the aim of choosing a preferred option.

6.10 Following this exercise the preferred option was submitted and is the scheme under consideration.

6.11 The various consultees listed above have confirmed that the proposal will not result in an unacceptable Environmental Impact subject to conditions and /or informatives. NIEA, Rivers Agency, and Inland Fisheries are satisfied that the proposal will not adversely impact on flora and fauna, or other aspect of the aquatic environment. Rivers have also confirmed that the proposal will not result in or be subject to Flood Risk and accordingly the proposal is considered compliant with PPS15. Shared Environmental Services are satisfied, subject to conditions that the proposal is in compliance with the Habitats Directive.

6.12 The scheme is compliant with the zoning in BMAP, all consultees are satisfied that no adverse Environmental Impacts will result and the design is acceptable.

Neighbour Notification Checked

Yes

Conditions – Delegation of final conditions and wording to Director of Planning and Place requested:

A detailed Method of Works Statement must be submitted by the appointed contractor(s), to Belfast City Council Planning for agreement at least 8 weeks prior to commencement of the works. This should include pollution prevention measures for the construction phase of the development.

Reason: To ensure that the appointed contractor undertaking the work is well informed of all the risks associated with the proposal and is aware of the mitigation measures to be put in place during the construction phase. It will also ensure that the final Method of Works Statement has Council approval prior to any works commencing. Thus preventing any indirect adverse impacts on Belfast Lough SPA/Ramsar and Belfast Lough Open Water SPA/East Coast (NI) Marine pSPA conservation objectives/features.

No part of the construction hereby approved shall be commenced until details of proposed construction and resurfacing, provision of and alterations to kerbing including tactile paving at crossing points, provision of and alterations to road drainage system including road gullies and manholes, relocation of and alterations to existing services, provision of and alterations to street lighting and other street furniture which are generally in accordance with Drawing No. CO401210-AME-SBR-LAG-DE-S-007 'General Arrangement Plan' dated by the Belfast City council Planning Office 1 June 2015 have been submitted to and approved by Transport NI. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance and completed to the satisfaction of DRD Transport NI.

REASON: In the interests of road safety and the convenience of road users.

No part of the development hereby approved shall be commenced until details of proposed Toucan crossing point have been submitted to and approved by Transport NI.

REASON: In the interests of road safety and the convenience of road users.

No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

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

Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation

and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

No development including site clearance works, lopping, topping or felling of trees, shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Belfast City Council Local Planning Authority.

The details shall include a detailed layout together with existing and proposed levels, cross sections, hard surface materials and other hard details including street furniture.

The details shall also include detailed planting plans with written planting specification including site preparation and planting methods and detailed plant schedules including the species, the size at time of planting, presentation, location, spacings and numbers.

A landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall be submitted to and approved by the Council Local Planning Authority. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with the Council in writing prior to implementation.

Reason: To ensure the provision of amenity afforded by an appropriate landscape design.

All hard and soft landscape works shall be completed in accordance with the approved drawing the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to the development hereby approved becoming operational.

All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.
[excluding hard surfaces]'

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of the Belfast City Council Local Planning Authority seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Council gives its written consent to any request for variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape

Trees and vegetation to be retained within the site and proposed planting as indicated on drawing number 19 date stamped received 20th May 2015, shall not be cut down,

uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of the Belfast City Council Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and vegetation.

If during the development works, contamination is encountered which has not previously been identified, then this additional contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and a suitable risk assessment completed. In this situation, a remediation strategy shall be agreed with the Council in writing, implemented in accordance with the approved details, and verified to the satisfaction of the Council in writing before any part of the development hereby permitted becomes operational.

Reason: Protection of Human Health, natural environment and amenity.

No lighting equipment shall be erected onto the foot and cycle bridge hereby permitted unless a lighting plan is submitted and agreed in writing by Belfast Planning Service and verified with NIEA NED. The lighting shall be installed and operated in accordance with the agreed arrangements.

Reason: In order to prevent disturbance to European Protected Species.

There shall be no lighting from the bridge directed onto the River Lagan water surface at any time.

Reason: To prevent disturbance to European Protected Species.

ANNEX	
Date Valid	28th May 2015
Date First Advertised	10th July 2015
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses) The Owner/Occupier, 16 Cromac Place, Malone Lower, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 18 Cromac Place, Malone Lower, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 1A Cromac Place, Malone Lower, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 20 Cromac Place, Malone Lower, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 22 Cromac Place, Malone Lower, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 24 Cromac Place, Town Parks, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 24 Cromac Place, Town Parks, Belfast, Antrim, BT7 2JB, The Owner/Occupier, 54 River Terrace, Malone Lower, Belfast, Antrim, BT7 2EN, The Owner/Occupier, 56 River Terrace, Malone Lower, Belfast, Antrim, BT7 2EN, The Owner/Occupier, 58 River Terrace, Malone Lower, Belfast, Antrim, BT7 2EN, The Owner/Occupier, 60 River Terrace, Malone Lower, Belfast, Antrim, BT7 2EN, The Owner/Occupier, Belfast City Council Legal Services Department, 26 Adelaide Street, Malone Lower, Belfast, Antrim, BT2 8GD, The Owner/Occupier, Belfast City Council Property And Projects, Cecil Ward Building, Linenhall Street, Belfast The Owner/Occupier, Department Of Social Development, 49-55 Oxford House, Chichester Street, Town Parks, Belfast, Antrim, BT1 4HH, The Owner/Occupier, NI Water, Westland House, Westland Road, Belfast. BT14 6TI The Owner/Occupier, Ozone Complex, Ormeau Embankment, Ballynafoy, Belfast, Down, BT6 8LT, The Owner/Occupier, Translink, 3 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9BG,</p>	
Date of Last Neighbour Notification	2nd July 2015

Date of EIA Determination	
ES Requested	Yes - submitted with application following PREAPP scoping.
<p>Planning History</p> <p>Ref ID: Z/2014/1060/PREAPP Proposal: Pedestrian and cycle bridge over the River Lagan Address: Land between Ormeau Gaswork and Ormeau Embankment, Decision: ELA Decision Date: 31.03.2015</p> <p>Ref ID: Z/2013/0787/F Proposal: New 3G all weather pitch, with associated perimeter fencing, floodlighting and car parking improvements Address: 50m Southeast of Ormeau Embankment Entrance to Ormeau Park, Ormeau Park, Belfast, Decision: PG Decision Date: 11.11.2014</p> <p>Ref ID: Z/1997/0808 Proposal: Development of slipway for public access to River Lagan, and including parking areas and new vehicular access from Ormeau Embankment Address: MCCONNELL WEIR ORMEAU EMBANKMENT BELFAST BT7 Decision: Decision Date:</p> <p>Ref ID: Z/1991/0967 Proposal: Environmental improvements Address: RAVENHILL REACH, ORMEAU EMBANKMENT BELFAST BT7 Decision: Decision Date:</p> <p>Ref ID: Z/1998/0716 Proposal: Riverside public pathway and environmental improvements Address: LOWER ORMEAU, ADJACENT TO RIVER LAGAN, BETWEEN ORMEAU BRIDGE & MOUTH OF RIVER BLACKSTAFF BELFAST BT7 Decision: Decision Date:</p> <p>Ref ID: Z/1999/2974/F Proposal: Public riverside pathway, amenity lighting, railings, river access ramp and pontoon Address: Ravenhill Reach, Ormeau Embankment, Belfast BT6 8RD.</p>	

Decision:
Decision Date: 14.02.2000

Ref ID: Z/1990/3011

Proposal: Construction of Riverside Walkway (Phase 2) including part infilling and landscaping of Lagan embankment and provision of a pontoon and inlet for leisure boating

Address: WESTBANK OF RIVER LAGAN BETWEEN THE ALBERTBRIDGE AND THE BLACKSTAFF RIVER.BELFAST BT5

Decision:
Decision Date:

Ref ID: Z/1998/1119

Proposal: Pedestrian access to link the Gasworks Development Site to Riverside Pathway, including environmental improvements and river flood prevention engineering works

Address: FORMER MOUTH OF RIVER BLACKSTAFF MAYSFIELD BELFAST BT1

Decision:
Decision Date:

Ref ID: Z/1997/2601

Proposal: Construction of public open space incorporating pedestrian access from Ormeau Road/Cromac Street and extension of a distribution road within the site, hard and soft landscaping, railings, piers, street lighting, tree shrub planting and grassing.

Address: FORMER GASWORKS SITE, ORMEAU ROAD, BELFAST BT7

Decision:
Decision Date:

Ref ID: Z/1994/0352

Proposal: Retention of stone infill to create riverside walkway

Address: RIVER LAGAN RAVENHILL REACH ORMEAU EMBANKMENT BELFAST BT6

Decision:
Decision Date:

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department: