

## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 23 Feb 2016	
<b>Application ID:</b> LA04/2015/0707/F	
<b>Proposal:</b> Residential development comprising 56 apartments with basement car parking, communal space and associated road works.	<b>Location:</b> Land at 33-39 Bridge End, Belfast south of Bridge End and east of Belfast/ Londonderry railway line.
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Cultra Development Ltd 32 Cultra Avenue Holywood BT18 0A2	<b>Agent Name and Address:</b> Like Architects 34 Bedford Street Belfast BT2 7FF
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for 56 apartments with basement car parking, communal space and associated road works.</p> <p>The site is located within the city centre of Belfast as defined within the Belfast Metropolitan Area Plan.</p> <p>The key issues in the assessment of this application include:</p> <ul style="list-style-type: none"> <li>- The principle of redevelopment and proposed use at this location;</li> <li>- Height, Scale, Massing and Design;</li> <li>- Impact on Amenity;</li> <li>- Traffic Movement &amp; Parking;</li> <li>- Other Environmental Matters;</li> </ul> <p>Belfast City Centre Regeneration and Investment Strategy (Sept 2015) states that Belfast has a low overall city centre residential population in comparison to other cities. This document recognises that a significant residential population is highly important for the successful functioning of a city centre. Within this context the principle of residential use at this location is acceptable.</p> <p>The principle of development has already been established under Z/2008/0772/F and in terms of the detailed development for the most part it replicates the development previously granted. This approval has now expired.</p> <p>The form and height of the building establishes a built form that is considered to be appropriate. No letters of representation were received.</p> <p>The proposal includes the provision of 37 basement level car parking spaces and 58 cycle spaces. Vehicular access to the proposed development will continue to be from the existing access point on Bridge End.</p>	

Transport NI, Rivers Agency, NI Water, NIEA, Environmental Health BCC and NI Transport Holding Company raised no objection subject to conditions and informatives.

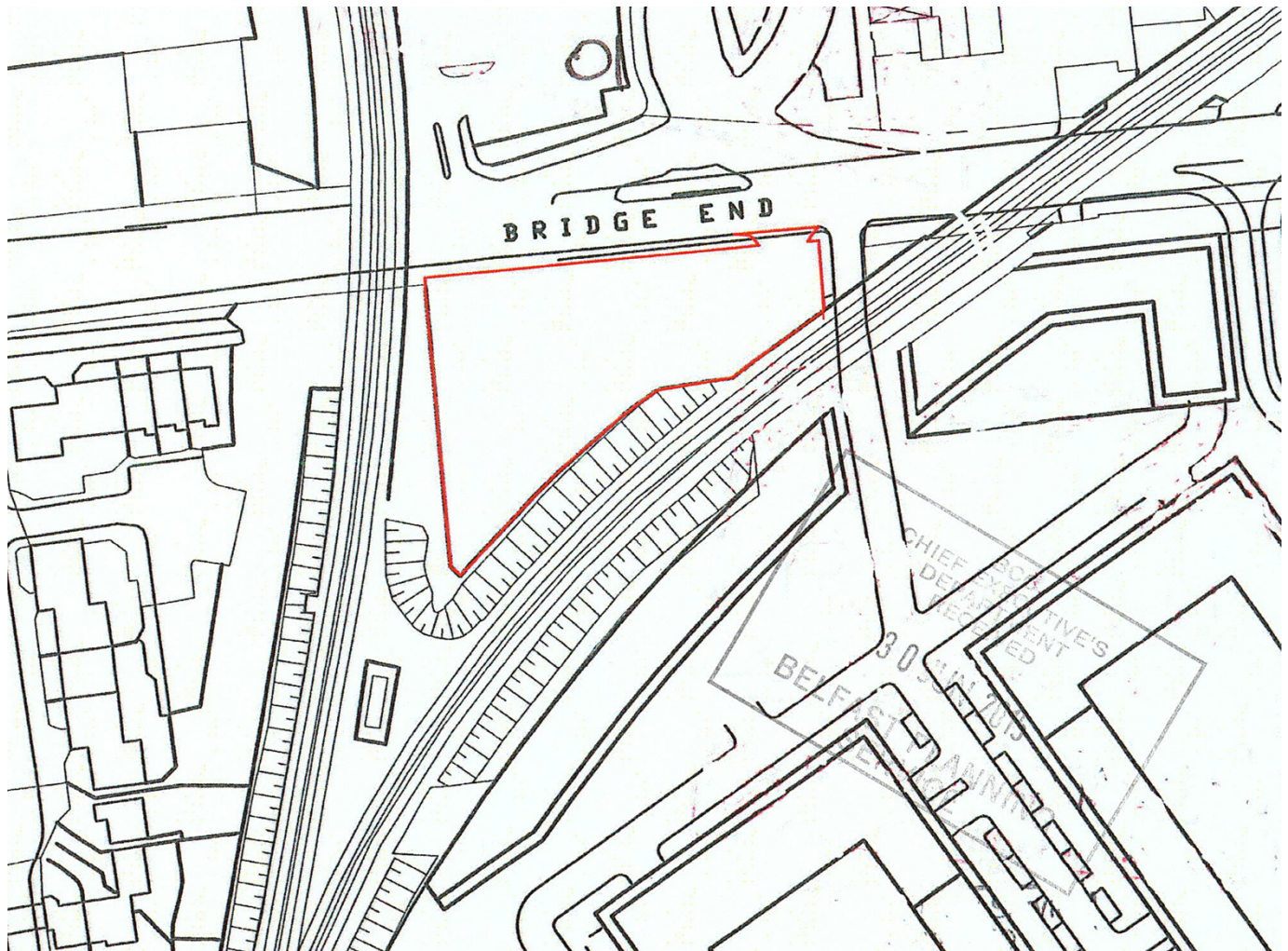
The proposal is considered to comply with relevant planning policy and would constitute an acceptable sustainable development at this location. This proposal would lead to the delivery of new homes and promote city centre living and deliver the regeneration of a brownfield site in the City Centre.

**Recommendation**

Approve subject to conditions set out in case officers report.

**Case Officer Report**

**Site Location Plan**



**Characteristics of the Site and Area**

<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	Full planning permission is sought for a residential development comprising 56No apartments basement car parking, communal space and associated road works.
<b>2.0</b>	<b>Description of Site</b>
2.1	The site is located on lands at No 33-39 Bridge End within Belfast City Centre. It is a brownfield site (formerly used as a petrol filling station) situated east of the River Lagan. The northern boundary of the site extends along the Bridge End carriage way. The site is bounded to the south by 2 intersecting railway lines. To the east the boundary extends along a railway line with the former Sirocco Works. The western boundary extends along a railway line, with residential

	units and apartments beyond.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<p><b>Planning History</b>  Ref ID: Z/2008/0772/F  Proposal: Residential development comprising 56 no. apartments with basement car parking, communal open space and associated road works  Address: Land at 32-39 Bridge End, South of Bridge End and East of Belfast/Londonderry Railway line.  Planning Permission Granted 22.03.2010</p> <p>The principle of this development has already been established under Z/2008/0772/F and for the most part it replicates the development already approved. This approval has now expired.</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Metropolitan Area Plan 2015 Policy TRAN 1 Parking Standards with Areas of Parking Restraint
4.2	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 7 – Quality Residential Environments Revised Planning Policy Statement 15 – Planning and Flood Risk
<b>5.0</b>	<b>Statutory Consultees</b> Transport NI – No objection subject to conditions and informatives Rivers Agency – No objection subject to informatives NI Water – No objection subject to informatives NIEA – No objection subject to conditions
<b>6.0</b>	<b>Non-Statutory Consultees</b> Environmental Health BCC – No objection subject to conditions NI Transport Holding Company – No objection subject to informatives
<b>7.0</b>	<b>Representations</b>
7.1	The application was advertised in the local press on 11 August 2015. Neighbours were notified on 25 August 2015. No representations have been received.
<b>8.0</b>	<b>Other Material Considerations</b> Creating Places DCAN 8: Housing in Existing Urban Areas DCAN 15: Vehicular Access Standards Local Government Waste Storage Guide
<b>9.0</b>	<b>Assessment</b>
9.1	<p>The key issues in the assessment of this application include:</p> <ul style="list-style-type: none"> <li>- The principle of redevelopment and proposed use at this location;</li> <li>- Height, Scale, Massing and Design;</li> <li>- Impact on Amenity;</li> <li>- Traffic Movement &amp; Parking;</li> </ul>

	- Other Environmental Matters;
9.2	Given the city centre location the presumption is therefore in favour of development subject to the planning considerations detailed below.
	<b><u>Principle of Redevelopment &amp; Proposed Use</u></b>
9.3	Given the site's location with Belfast City Centre it is considered that the redevelopment of this brownfield site will bring back a more productive and appropriate city centre use subject to the consideration and resolution of planning and environmental matters.
9.4	The site is located within Belfast City Centre as defined in BMAP. The City Centre boundary is designated to encompass the traditional concentration of retailing and other city centre functions including entertainment, leisure, cultural, civic, residential and office uses.
9.5	Belfast City Centre Regeneration and Investment Strategy (Sept 2015) states that Belfast has a low overall city centre residential population in comparison to other cities. This document recognises that a significant residential population is highly important for the successful functioning of a city centre. Within this context the principle of residential use at this location is acceptable.
	<b><u>Height, Scale, Massing &amp; Design</u></b>
9.6	Proposals for new residential development must take account of specific circumstances of each site. Policy QD 1 of PPS7 is clear in that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment. The design and layout of residential development should be based on an overall design concept that draws upon the positive aspects of the character and appearance of the surrounding area.
9.7	An important material consideration in this instance, when considering the scale and massing of the proposal is the previous planning approval on the site (Z/2008/0772/F). Permission was granted on 22 <sup>nd</sup> March 2010, and therefore lapsed on 22 <sup>nd</sup> March 2015. The current application was submitted on 17 <sup>th</sup> July 2015.
9.8	The ground floor to ridge heights of the blocks have been reduced as follows: Block A has been reduced from 26.5m to 24.5m, Block B from 25.2m to 23.9m, Block C from 25.5m to 24.5m and Block D from 22.5m to 21.0m. However, the finished floor level of the proposed development has been raised a further 0.9m. This effectively means the overall ridge height of the proposed blocks shall remain relatively the same, if slightly lower, and thus in terms of the overall scale and massing the proposal shall appear almost identical as that previously approved on site.
9.9	The design remains largely unaltered with a strong vertical emphasis provided by the proposed fenestration. The grey framed curtain walling has been replaced by a rendered wall feature with shadow gaps. The limestone slabs at the lower levels have been replaced by a grey rendered finish. Apart from what are essentially minor elevational changes the overall character of the building remains the same.
	<b><u>Impact on Amenity</u></b>
9.10	There are no residential properties within close proximity to the site that could potentially be affected by the proposed development. The closest would be dwellings in Rotterdam Street approximately 35m west of the site and separated from the site by the railway and associated embankments and heavy planting and a strip of open space between the railway and existing dwellings. This should ensure there will be no unduly significant impact on residential amenity.

9.11	<p>Guidance on the level of private amenity space provision for apartment development states provision should range from a minimum to 10 square metres to around 30 metres per unit. PPS7 recognises that apartment development private open space may be provided in the form of communal gardens. Balconies and communal gardens are proposed. Given the urban context of the site it is considered on balance the amenity of future occupiers would be acceptable.</p>
<p><b><u>Traffic, Movement &amp; Parking</u></b></p>	
9.12	<p>The site is located with an Area of Parking Restraint (Designation CC 025) in BMAP. Policy TRAN 1: Parking Standards within Areas of Parking Restraints recommends a one space per dwelling for residential units. Reductions in these standards will be considered in appropriate circumstances where evidence of alternative arrangements can be clearly demonstrated.</p>
9.13	<p>Planning guidance recognises that basement parking may be an appropriate parking strategy for higher density development. The proposal includes the provision of 39 basement level car parking spaces and 33 cycle spaces. Vehicular access to the proposed development will continue to be from the existing access point on Bridge End.</p>
9.14	<p>Given that the site benefits from a high level of pedestrian accessibility to local facilities and the public transport network a reduced level of car parking provisions is considered to be appropriate. Transport NI raised no objection to the proposal subject to conditions and informatives set out below.</p>
<p><b><u>Other Environmental Matters</u></b></p>	
9.15	<p>Paragraph 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 proposing policies or managing development. Other amenity considerations include sewerage, drainage, waste management and water quality.</p>
<p><i>Contaminated Land</i></p>	
9.16	<p>A Remediation Strategy report was submitted as part of the application. The report clarified that the proposed basement structure will manage the unacceptable risks from reduced quality soils and groundwater identified from historical activities at the site.</p>
9.17	<p>Waste Management (WM) have no objection to the proposed subject to conditions and informatives detailed below.</p>
<p><i>Archaeology and Built Heritage</i></p>	
9.18	<p>The application site located within the Belfast Area of Archaeological Potential (AAP) as identified in BMAP 2015. It is also in close proximity to a number of industrial heritage sites, and a number of archaeological monuments that are of regional importance and are protected by PPS 6 Policy BH1.</p>
9.19	<p>Historic Environment Division: Historic Monuments Unit (HMU) has considered the impacts of the proposal. HMU is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per Policy BH 4 of PPS 6. The condition is detailed below.</p>

	<i>Noise Impact</i>
9.20	The Environmental Protection Unit has examined the submitted noise impact assessment carried out by Peter Lloyd and Associates ' <i>Noise Assessment; Proposed Apartments Bridge End, Belfast</i> ' dated November 2015 and additional information in relation to alternative means of ventilation to enable a suitable internal noise within the apartments is not compromised. The ventilation design within the habitable rooms of the proposal will incorporate ducted, acoustically attenuated intake vents.
9.21	Environmental Services Department raised no objection subject to conditions detailed below.
	<i>Flooding</i>
9.22	PPS15 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. Given that the site area exceeds 1 hectare Policy FLD 3: Development and Surface Water Floor Risk Outside Flood Plains of PPS 15 is relevant. A Drainage Assessment has been submitted in support of the application.
9.23	Northern Ireland Water Ltd has been consulted on the proposal and confirmed that the waste water treatment work (WWTW) has available capacity to accept the additional load. Given that NIW confirmed available capacity, NIEA: Water Management Unit has no objection to the proposal subject to informatives detailed below.
9.24	The proposed scheme is therefore considered acceptable in accordance with Policy FLD 3 of PPS 15 and the SPPS with respect to flood risk, drainage and sewerage capacity.
	<i>Waste Storage</i>
9.25	Bin storage is proposed at basement level and is considered to be of adequate provision for this type of development.
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
10.1	The above matters are considered to be the main planning issues. All other matters raised by consultees have been assessed and are not considered to outweigh the conclusion that on balance, the proposal is considered to comply with relevant planning policy and would constitute an acceptable sustainable development at this location. This proposal would lead to the delivery on new homes and deliver the regeneration of a brownfield site in the City Centre.

**11.0 Conditions and Informatives**Conditions

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit

2. The development hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with Drawing No.07A bearing the date stamp 28<sup>th</sup> January 2016 to provide a left-in, left-out only access arrangement.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.07A bearing the date stamp 28<sup>th</sup> January 2016 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure adequate provision has been made for parking and traffic circulation within the site.

4. The development hereby permitted shall not be occupied until cycle parking facilities have been provided in general accordance with Drawing No.07A bearing the date stamp 28<sup>th</sup> January 2016.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

5. The development hereby permitted shall operate in accordance with the Service Management Plan bearing the date stamp 28<sup>th</sup> January 2016.

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

6. Prior to the occupation of the development, the facade design recommendations contained within the Peter Lloyd and Associates '*Noise Assessment; Proposed Apartments Bridge End, Belfast*' dated November 2015 shall be implemented to ensure that internal noise levels within any dwelling:
  - Shall not exceed 35 dB  $L_{Aeq,16hr}$  at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of acoustically attenuated ventilation provided in accordance with Belfast City Council Amended Drawing Numbers 17a – 22a, dated 8<sup>th</sup> January 2016.
  - Shall not exceed 30dB  $L_{Aeq,8hr}$  at all other times measured over a five minute period within any proposed bedrooms with the windows closed and alternative means of acoustically attenuated ventilation provided in accordance with Belfast City Council Amended Drawing Numbers 17a-22a, dated 8<sup>th</sup> January 2016 .

Reason: Protection of residential amenity



7. As part of site clearance all remaining storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Pollution Prevention Guidance No 2 and No 27 (PPG2 and PPG27). The quality of surrounding soils and groundwater shall be verified demonstrating that no risks remain due to any residual contamination. Should contamination be identified during this process, Conditions 3 and 5 will apply.

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

8. The development hereby permitted shall not be occupied until the remediation measures as agreed in the Mason Evans Partnership Ltd (ME) "Remedial Strategy Report", dated January 2015 and Letter Report, dated 03<sup>rd</sup> June 2015, have been implemented and carried out in accordance with the agreed terms. Should new contamination be identified from the agreed groundwater monitoring programme, Conditions 9 and 11 will apply.

Prior to the commencement of the remediation work the Planning Authority must be given two weeks written notification, to enable NIEA to visit the site during the works on-site.

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

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

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

10. Should unacceptable risks to the water environment be identified under Conditions 7, 8 and 9, no piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. This condition only applies if a piling foundation is being used at the site.

The assessment should refer to the guidance provided in the Environment Agency (2001) document, "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" reference NC/99/73.

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

11. After completing all remediation works under Conditions 7, 8 and 9; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

12. The applicant, on completion of works and prior to the occupation of the proposed

development, shall provide to Belfast City Council, for approval, a Verification Report. This report must demonstrate that remedial measures in accordance with Section 6.0 of the Mason Evans report '*Lands at Bridge End, Belfast; Cultra Developments Ltd, Remedial Strategy Report*', dated January 2015 and the Mason Evans letter report, Ref B2014-036, dated 3<sup>rd</sup> June 2015 have been implemented.

The Verification Report shall demonstrate the successful completion of the remediation works and that the site is now fit for end-use (Residential). It must demonstrate that the identified significant pollutant linkages have been demonstrably broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report shall also demonstrate that:

- a) The basement design and layout has been constructed in accordance with Belfast City Council Drawing Number 7, dated 30/6/15 (Basement Floor Plan).
  - b) Excavation has occurred across the site to a minimum depth of 3mbgl.
  - c) The final build incorporates:
    - I. A fully tanked basement where the installation of a propriety gas and vapour proof membrane has been installed under Certified Quality Assurance and inspected and validated.
    - II. A ventilated basement car park. This ventilation must be designed in accordance with Building Regulations Technical Booklet K and the Institute of Structural Engineers, *Design recommendations for multi-storey and underground car parks*.
  - d) All soils in landscaped areas (in accordance with Belfast City Council Drawing Number 25, dated 17/7/15 – Landscaping Proposals) are to be formed from clean, imported material demonstrably suitable for the end use (Public open space - Residential).
  - e) Documentary evidence that any underground fuel tanks and associated infrastructure have been decommissioned in accordance with PPG27 *Installation, Decommissioning and Removal of Underground Storage Tanks*.
13. In the event that contamination not previously considered is encountered during the approved development of this site the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Planning Service for approval. This investigation and risk assessment (and verification if required) must be undertaken in accordance with current best practice.
14. 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 Belfast City Council. 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.

15. 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.

16. All hard and soft landscape works shall be completed in accordance with the approved drawing no 25 date stamped received 17 July 2015, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS no later than the end of the before the planting season following occupation of each of the dwellings hereby approved.

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]'.

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

Informatives

1. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the land necessary to carry out the proposed development.
2. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor.
3. Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is: Belfast South Section Office, 1A Airport Road, Belfast, BT3 9DY. A monetary deposit will be required to cover works on the public road.
4. All construction plant and materials shall be stored within the curtilage of the site.
5. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
6. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site: - such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals

is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.

7. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
8. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, he should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.
9. There will be a general presumption against the erection of buildings or other structures over the line of culverted watercourses. Any proposal for such requires the written consent/approval of the Rivers Agency. Failure to obtain such approval is an offence under the Drainage Order which may lead to prosecution or other statutory action as provided for.
10. Public water and foul sewer within 20 metres of your proposal, consultation with NIW is required to determine how your proposal can be served.
11. Surface water sewer within 20 metres of your proposal, consultation with NIW is required to determine how you proposal can be served. Application to NIW is required to obtain approval to connect.
12. The developer is advised to consult NIW at an early design stage by means of a Predevelopment Enquiry to determine how this proposal may be served.
13. If during the course of development the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002/.
14. All services within the development should be laid underground.
15. The developer provides NIR with design details for the basement level car parking retention system with consideration to dead and imposed loads. Designers must ensure that there is no risk of subsidence within the railway property. This information must include all temporary and permanent works given that the railway is operating next to the site. The retaining structure will need design checks carried out; Form A (Approval in Principal)/ Form B (Certificate of Design and Checking), Form C (Certificate of Design and Checking of Temporary Works) which must be signed off by a Chartered Civil Engineer carrying appropriate professional indemnity insurance. NIR will need to know who will own the retention system once the development is complete.
16. The developer provides NIR with Form C (Certificate of Design and Checking of Temporary Works) for the construction of the build.
17. Developer to demonstrate and agree with NIR the extent of backfilling of the wing/retaining wall of the existing NIR structure 04.317.

18. The developer sets up vibration and survey monitoring stations along the common boundary and at the parapet of existing NIR structure 04.316 Laganview Road to ensure that any settlement can be identified during construction or following completion.
19. Condition surveys are to be undertaken of existing NIR Structures 04.317 at Hemel Street & 03.315A at Bridge End Street to demonstrate that Construction activity does not affect existing infrastructure.
20. NIR should be given the opportunity to consider the impact of the proposed lighting design on the railways signalling sighting. We would therefore request the developer to provide NIR with a lighting specification and layout details for consideration by our signalling department (Signal Sighting Committee) for information, comment and/or approval.
21. The contractor provides NIR with a programme prior to construction works commencing on or near NIR property and provide NIR with agreed Method Statement and Risk Assessment (4 weeks) prior to any works commencing.
22. Construction plant or equipment must not be allowed to slew over NIR property at any time. Any works involving cranes must have control measures in place to prevent movement of loads into the path of trains and avoid any unforeseen collapse on or near the line. NIR will need to be informed if it is proposed that a crane will be erected during construction. All crane / lifting certificates must be forwarded to NIR for comment. NITHC may require an air rights agreement if crane activity is to over sail NITHC property when out of use.
23. The contractor provides NIR with their insurance details / provision that will be in place for the duration of the project.
24. No encroachment takes place onto NIR / NITHC property. All works to NIR boundaries must be carried out under the conditions of the NIR Rule Book and NIR Contractor Safety Requirements (CSR) with regard to safety of workers and railway passengers. If necessary, NIR will provide safety critical staff to ensure that a safe method of work is established and maintained. Costs incurred by NIR must be borne by the developer.
25. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.
26. Northern Ireland Railways Co. Ltd. reserve the right to carry out any works to the company's property by any machinery at any time of the day or night as deemed necessary by NIR CO. Ltd Engineers.
27. The development is advised to contact us directly to discuss their development plans in more detail so that we can review any concerns we may have with this development.
28. The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation. Failure to provide a satisfactory Verification Report will lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.

29. The applicant must refer to and adhere to the relevant precepts contained in DOE Standing Advice Note No. 4 – Pollution Prevention Guidelines (April 2015).
30. Water Management Unit recommend the applicant refer and adhere to the precepts contained in DOE Standing Advice Note No. 5 – Sustainable Drainage Systems (April 2015) paying particular attention to matters relating to contaminated land.
31. The development includes excavation of an underground structure (basement). Depending on the geological setting, the potential exists for the water table to be encountered during these works.
32. In accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (as amended) it is a mandatory requirement that upon the abstraction and/or diversion and/or impoundment of water from the natural river channel/lake, coastal or groundwater sources, an abstraction/impoundment licence should be obtained unless the operations specified are Permitted Controlled Activities. The applicant should refer and adhere to DOE Standing Advice Note No. 18 – Abstractions and Impoundments (May 2015).
33. The discharge of water from a dewatering operation will require consent to discharge, under the Water (Northern Ireland) Order 1999. The applicant should refer and adhere to DOE Standing Advice Note No.11 – Discharges to the Water Environment (April 2015). Dependant on the level of contamination encountered it may not be possible to directly discharge to the water environment without prior (on / off site) treatment.
34. The applicant should ensure that the kitchens associated with this development have suitable, properly maintained grease traps on their effluent pipes.
35. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.
36. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.

Signature(s)

Date:

<b>ANNEX</b>	
<b>Date Valid</b>	30th June 2015
<b>Date First Advertised</b>	14th August 2015
<b>Date Last Advertised</b>	14th August 2015
<b>Details of Neighbour Notification</b> (all addresses)	
10 Rotterdam Street Ballymacarret Belfast 11 Bridge End Ballymacarret Belfast 12 Rotterdam Street Ballymacarret Belfast 13 Bridge End Ballymacarret Belfast 14 Rotterdam Street Ballymacarret Belfast 15 Bridge End Ballymacarret Belfast 16 Rotterdam Street Ballymacarret Belfast 18 Rotterdam Street Ballymacarret Belfast 2 Laganview Mews Ballymacarret Belfast 2 Rotterdam Street Ballymacarret Belfast 22 Bridge End Ballymacarret Belfast 3 Bridge End Ballymacarret Belfast 3 Milewater Road Skegoneill Belfast 3-5, Dalton Street, Ballymacarret, Belfast, Down, BT5 4BA, 4 Rotterdam Street Ballymacarret Belfast 48-58, Bridge End, Ballymacarret, Belfast, Down, BT5 4AE, 5 Bridge End Ballymacarret Belfast 5 Station Street, Ballymacarret, Belfast, Down, BT3 9DA, 6 Rotterdam Street Ballymacarret Belfast 7 Bridge End Ballymacarret Belfast 8 Rotterdam Street Ballymacarret Belfast 9 Bridge End Ballymacarret Belfast	
<b>Date of Last Neighbour Notification</b>	25th August 2015
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	N/A
<b>Drawing Numbers and Title</b>	
<b>Notification to Department (if relevant):</b> N/A	
Date of Notification to Department: Response of Department:	