

**Development Management Officer Report
Committee Application**

| Summary | |
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| Committee Meeting Date: 23 Feb 2016 | |
| Application ID: LA04/2015/0075/F | |
| Proposal Modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots 14-21 | Location 41-43 Park Avenue, Belfast |
| Referral Route: The application is for more than four residential units. | |
| Recommendation: | Approval |
| Applicant Name and Address: Choice Housing Ireland & Dixons Contractors | Agent Name and Address: TSA Planning 29 Linenhall Street Belfast BT2 8AB |
| <p>Executive Summary:</p> <p>The application seeks modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots fourteen to twenty one.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • planning history on the site and the immediate vicinity • access/parking • the reduction in size of the Ulster Maple Leaf Club • contamination • Impact on amenity of the local area (including noise and odours) • Drainage • Amenity provision • provision of a quality residential environment due to the change of house type including overlooking and dominance • landscaping and trees • boundary treatment • topography <p>The site located at Park Avenue is not located within any BMAP designations. The proposal has been assessed against the SPPS, Planning Policy Statements 2, 3, 7, Addendum to 7, and guidance Creating Places, Parking Standards, DCAN 7, 8 and 15.</p> <p>There have been no objections to the proposal in principle from statutory consultees.</p> | |

There were no representations to this planning application.

Having regard to the previous planning approval, the policy context and other material considerations above, the proposal is deemed to be acceptable.

| Consultations: | | |
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| Consultation Type | Consultee | Response |
| Statutory | Rivers Agency | No objection |
| Statutory | NI Water | No objection |
| Non Statutory | Belfast City Council Environmental Health | No objection |
| Statutory | Transport NI | No objection |
| Non-Statutory | Belfast City Council Tree Officer | No response |
| Non-Statutory | Belfast City Council Waste Management | No objection |
| Representations: | | |
| Letters of Support | None Received | |
| Letters of Objection | None Received | |
| Number of Petitions of Objection and signatures | No Petitions Received | |
| Representations from Elected representatives | None | |
| Characteristics of the Site and Area | | |
| 1.0 | Description of Proposed Development | |
| | The proposal is for modifications to previous planning approval Z/2010/0434/F comprising of a reduction in the size of the replacement club premises and change of house types to the dwellings at plots fourteen to twenty one. | |
| 2.0 | Description of Site and Area | |
| 2.1 | The site (containing the derelict Ulster Maple Leaf Club) is currently under construction as a consequence of previous planning approval (Z/2010/0434/F). It is part of a wider redevelopment (two phases) of this entire area for residential units and the relocation of the Ulster Maple Leaf Club. The site is accessed from Park Avenue which slopes steeply from Holywood Road to Connsbrook Avenue. The immediate vicinity is predominantly high density, terraced dwellings, set within small plots, and two-storey semi-detached properties with larger rear gardens located at Sydenham Park. Adjacent to the site and accessed from Connsbrook Avenue is Gilmore Services Fuel and Oil Distributors. Around the boundaries of the site is existing mature vegetation. Another cleared site is located to the rear of 99-115 Connsbrook Avenue that which benefits from planning approval for a fifteen unit apartment block granted in 2015. | |
| Planning Assessment of Policy and other Material Considerations | | |
| 3.0 | Site History | |
| 3.1 | A planning approval Z/2010/0434/F was granted permission in 2011 for a mixed use development to include the relocation and replacement of the Ulster Maple Leaf Club premises and residential development comprising 21 dwellings (three-two bed and eighteen-three bed dwellings), landscaping and associated site works. A variation of a planning condition was granted permission in 2012 for the same site to vary condition 3 (of Z/2010/0434/F) to include social/affordable housing within the residential development and the social club. A further variation | |

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| 3.2 | <p>of condition was granted permission in 2012 to vary condition 2(of Z/2010/0434/F) to allow simultaneous commencement of development of the residential development and the social club.</p> <p>A current planning application (LA04/2015/0052/F) is under consideration on phase 2 lands to the north of this site. The application seeks the erection of thirteen social/affordable housing units (seven-two bed townhouses and six-two bed apartments) with associated parking, landscaping and road works, with access from Park Avenue via adjacent approval Z/2010/0434/F including provision for revised access/parking to the Masonic hall. To the rear of 99-115 Connsbrook Avenue planning permission was granted in 2015 for a four storey building of fifteen apartments, site works and car parking (Z/2014/0052/F). Previously on the same site in 2012 eighteen apartments and associated parking had been granted planning permission (Z/2010/1468/RM).</p> |
| 4.0 | Policy Framework |
| 4.1 | <p>Belfast Metropolitan Area Plan 2015</p> <ul style="list-style-type: none"> • Belfast Metropolitan Area Plan 2015, site is located within the development limits of Belfast (Designation BT 001). The relevant policy is SETT 2, Development within the Metropolitan Development Limit and the Settlement Development Limits • Strategic Planning Policy Statement for Northern Ireland (SPPS) • Planning Policy Statement 2 – Natural Heritage • Planning Policy Statement 3 – Access, Movement and Parking • Planning Policy Statement 7 – Quality Residential Environments • Planning Policy Statement 7 Addendum – Safeguarding the Character of Established Residential Areas • Planning Policy Statement 15 – Planning and Flood Risk • Supplementary Planning Guidance – Creating Places • Supplementary Planning Guidance – Parking Standards • Development Control Advice Note 7 – Public Houses • Development Control Advice Note 8 – Housing in Existing Urban Areas • Development Control Advice Note 15 – Vehicular Access Standards |
| 5.0 | Statutory Consultee Responses |
| | <ul style="list-style-type: none"> • Rivers Agency – No objection subject to informatives • Transport NI – No objection subject to conditions and informatives • NI Water – No objection subject to informatives |
| 6.0 | Non Statutory Consultee Responses |
| | <ul style="list-style-type: none"> • Belfast City Council Environmental Health – No objection subject to conditions and informatives • Belfast City Council Waste Management – No objection • Belfast City Council Tree Officer - |
| 7.0 | Representations |
| 7.1 | There were no representations to this planning application. |

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| 8.0 | Other Material Considerations |
| | None |
| 9.0 | Assessment |
| 9.1 | The application site is located within the settlement development limits of Belfast. It is not located within any designated BMAP sites. |
| 9.2 | The key issues in this planning application are: planning history on the site and the immediate vicinity, access/parking, the reduction in size of the Ulster Maple Leaf Club, contamination, noise, odours, drainage, amenity, provision of a quality residential environment due to the change of house type including overlooking and dominance, landscaping, boundary treatment, and topography. |
| 9.3 | <p>Strategic Planning Policy Statement for Northern Ireland</p> <p>The purpose of planning is to prevent proposals which would unacceptably affect amenity and the existing use of land. Planning authorities are guided by the principle that sustainable development should be permitted, having regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.</p> |
| 9.4 | <p>Planning History</p> <p>As detailed in Section 3 a previous planning permission was granted in 2011 for a mixed use development to include the relocation and replacement of the Ulster Maple Leaf Club premises and residential development comprising 21 dwellings (three, two bed and eighteen, three bed dwellings), landscaping and associated site works. As such the principle of residential development and the relocation of the Ulster Maple Leaf Club have already been established on this site. The immediate vicinity has been defined by residential planning approvals of apartments and townhouses. Phase 2 to the rear of this site (accessed via Phase 1 – this planning application) is under consideration for the development of seven townhouses and six apartments.</p> |
| 9.5 | Ulster Maple Leaf Club |
| 9.5.1 | The planning permission granted under Z/2010/0434/F allowed the relocation of the Club from its existing location on the eastern boundary of the site to the western side of the site. The previously approved club incorporated basement car parking, ground floor bar with a small outside terrace, first floor multi-purpose room (indoor bowls), a kitchen, and small outside terrace, and second floor snooker and darts facility with access to a large 'green' roof. Due to the topography of the location the height of the proposed building from ground level ranged from 10.5m to 12.7m. The ground floor covered approximately 436 sqm, and the proposed external finishes included: red brick and white coloured render, a flat standing seam dark grey roof, dark grey aluminium windows and glazed doors. The proposal under consideration in this planning application seeks a vastly reduced scheme. It now includes a ground floor with a multi-purpose room (indoor bowls) lounge bar and kitchen servery, and a first floor with a |

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| | <p>snooker/darts facility and bar. There is access to a much smaller outside terrace (facing Park Avenue) and a walkway to the fire escape on the western elevation. Due to the topography of the location and the reduction to two storeys it will be a less dominant structure. The height of the proposed building from ground level ranges from 8.2m to 8.5m. The proposed ground floor covers approximately 387sqm (a reduction in 49sqm), and the proposed external finishes remain the same.</p> <p>9.5.2 Although the proposal does not fall under the definition of a Public House - a premises in which the only or principal business carried on is the business of selling intoxicating liquor by retail for consumption either in or off the premises', (Section 3(1)(a) Licensing Act (Northern Ireland) 1971) – the inclusion of bar facilities means that DCAN 7 (Public Houses) is applicable in assessing this application.</p> <p>9.5.3 DCAN 7 indicates that only in exceptional circumstances would a facility such as this be allowed to locate in an area which is 'noise sensitive', for example, opposite or adjacent to residential property. However the club has existed within the boundary of the application site for many years. Belfast City Council Environmental Health has been consulted to ascertain the impact on residential amenity. Further consideration of issues is set out below:</p> <ul style="list-style-type: none"> (a) Cooking Odour – The proposed server kitchen in the ground floor is to be used for reheating food by external caterers only and all cooking is to be done off the premises. A means of appropriate extraction and ventilation will still be required to deal with re-heating of pre-cooked food. Vents and ducts have been included on the Park Avenue elevation where the kitchen servery is to be located on the ground floor. Belfast City Council Environmental Health have requested a condition dealing with the instalment of a proprietary odour abatement system, and associated ducting directed away from residential properties. (b) Noise – A noise impact assessment was submitted that made recommendations regarding the necessary sound insulation measures required to prevent music break out during entertainment in the ground floor area. The report advises that glazing to the ground floor lounge and multi-purpose room will require upgrading to this area from music breakout impacting on the most proximate noise sensitive premises identified as the proposed adjacent apartment development (Z/2014/1652/F) located to the west of the proposed new club. The report advises that upgraded sound installation to the two fire exit doors in the ground floor area will be necessary with all doors to close to compressible seals. The noise assessment advises music breakout is not expected via the roof of the proposed Club given that no entertainment is intended to be provided in the first floor area and the floor between the ground floor and first floor will act as a buffer against music escape from the ground floor via the roof; therefore, no special design or structural recommendations are made in relation to sound insulation for the proposed roof. The noise assessment advises that both the ground floor and first floor terraces are to be used for emergency access only as the use of these by patrons would result in |
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| | <p>potential negative noise impact on the proposed apartment development (Z/2014/1652/F). In the interests of residential amenity Conditions as detailed in section 10 are to be attached to any planning permission granted.</p> <p>(c) Deliveries – As heavy goods vehicles are likely to be making deliveries to the premises, DCAN 7 stipulates that rear servicing is preferable. A rear ramp access has been proposed at the western elevation (accessed from the car park) with entry to the ground floor bar area.</p> <p>(d) Bin Storage – Belfast City Council Waste Management Service have assessed the proposal and it is deemed to be acceptable.</p> <p>(e) Landscaping – A landscaping scheme with a mixture of trees, shrubs, bulbs and herbaceous planting has been proposed that helps to soften the visual streetscape. Extra heavy standard trees have been included along the western boundary between the New Ulster Maple Leaf Club and the approved apartment scheme to the rear of 99-115 Connsbrook Avenue to assist in screening. Seven mature trees have been retained along the Park Avenue boundary. Conditions were attached to the previous approval – Z/2010/0434/F – to protect the trees during development. This would appear not to have been fulfilled, and the matter has been raised with the Belfast City Council Tree Officer. The mature trees have been retained in compliance with Policy NH5 of PPS 2 as the trees are a natural heritage feature worthy of protection.</p> <p>(f) Boundary Treatment – To the north and west of the club it is proposed to have a retaining wall with 1.8m high fencing on top. The western boundary with the recently approved apartment block is to be supplemented by extra heavy standard trees to enhance screening. The southern boundary along Park Avenue is to be a one metre high brick wall and coping stone with 900mm high bow top painted galvanised mild steel fence.</p> <p>(g) Dominance – As discussed above the reduction in height and mass of the proposed club means that it will be a less dominant structure in the vicinity of existing and proposed residential development in Park Avenue and adjoining streets.</p> <p>(h) Overlooking – The western elevation of the proposed club is located within a range of 2.5-4.5m from the boundary with the proposed apartment development (Z/2014/1652/F). However given the screen planting and boundary treatment at this location any proposed overlooking from the ground floor lounge bar should be mitigated. The windows at first floor level from the snooker room and darts room have a one metre external terrace (to be used for fire escape). As such with the addition of a condition to prevent the use of the terrace for a smoking location the likelihood of overlooking will be diminished. The eastern elevation (front entrance) is located within a range of ten to eleven metres from the nearest residential properties (1 – front elevation, and 21 – side elevation), however the windows proposed on the Club are for the ground floor lobby/corridor and first floor landing/corridor area.</p> <p>(i) Car Parking – A Transport Assessment was submitted justifying the rationale behind the reduced car parking provision of nine car parking spaces to the north of the proposed club and a further six parking</p> |
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spaces in front of the eastern elevation (front entrance). It states that 80% of current members are within walking distance of the site, the new club will be a replacement of the existing facility with no new elements that would be significant attractors of additional journeys, and few members drive to the site. As such Transport NI are satisfied with the car parking provision provided for the Club premises.

9.6 Contamination

9.6.1 Belfast City Council Environmental Health (BCC EH) reviewed a submission in support of the 2010 application relating to contaminated land. This report outlined the findings of the site investigation carried out and recommended remedial measures for the proposed residential areas. Subsequently conditions were attached to planning permission Z/2010/0434/F. BCC Environmental Health is of the view that the information presented in the 2010 report is still relevant to the site and therefore, the same conditions (see section 10) are recommended for this application. As such on completion of the works and prior to occupation of the proposed development a Verification Report shall be submitted to Belfast City Council for approval. The report must provide confirmation that all works were completed in accordance with the agreed details in the Contamination Assessment prepared by Pentland Macdonald.

9.7 Drainage

9.7.1 The proposed development site is not located within the floodplains associated with any watercourses. A Flood Risk Assessment submitted by the applicant demonstrates that there will be no increase in flood risk elsewhere as a consequence of this development, and the site will not be at risk of flooding in events of less than 1 in 100 year return period. Rivers Agency accepts this logic and has no reason to disagree with the conclusions. As such the proposed development is compliant with PPS 15 Policy FLD 3 (Planning and Flood Risk).

9.8 Change of House Types

The proposed change of house types for dwellings 14 to 21 includes the following:

- Two proposed alleyways have been removed between dwellings 17/18 and 19/20. Therefore the terrace is now 3.2m shorter than that previously approved, and results in a small difference to the finished floor levels (FFLs). Approved FFLs ranged from 49.60 to 52.25 whilst proposed FFLs range from 49.65 to 52.275.
- Front elevation minor window design changes.
- On the rear elevation the velux windows on the roof are reduced to two smaller windows. The proposed changes are considered acceptable.

9.9 Access and Parking

9.9.1 PPS 3 Policy AMP 7 (Car Parking and Service Arrangements) stipulates that adequate provision for car parking should be facilitated that does not prejudice road safety or significantly inconvenience the flow of traffic. Creating Places stipulates that for three (two bed) apartments, five unassigned parking spaces

should be provided, and for eighteen (three bed) terraced properties thirty two parking spaces are required. This equates to a total of thirty seven parking spaces that should be provided for the housing development. However only twenty one car parking spaces have been proposed, equating to a ratio of 1:1. This reduced parking provision is acceptable as the location is highly accessible (close to Hollywood Road Arterial Route) and well served by public transport. Furthermore in adherence with PPS 7 Policy QD1 (f) a movement pattern that supports walking and cycling has been facilitated. The scheme is for social and affordable housing therefore the level of car ownership is likely to be lower. Transport NI was consulted and raised no objections to the proposal after submission of a satisfactory Transport Assessment Form and Private Streets Determination. As such the proposal is compliant with PPS 3 and DCAN 15.

9.10 Boundary Treatment

9.10.1 The proposed boundary treatment is compliant with PPS 7 Policy QD1 (c). To the west of the terrace a one metre high brick wall and coping stone with 900mm high bow top painted galvanised mild steel fence is proposed facing the Maple Leaf Club. To the east of the terrace is proposed a 1.6m feature brick wall with coping stone and 400mm of galvanised mild steel railing above with a painted finish. To the rear of the terrace a retaining wall is proposed with a 1.8m high fence on top. This is to deal with the change in levels with the site to the rear (LA04/2015/0052/F). It is proposed to use wall climbers to landscape the side of the retaining wall facing the proposed six apartments to the rear. The rear gardens of the terrace are to be enclosed by 1.8m double sided close boarded fencing (including retaining structures), with a walkway included between the rear fence and the retaining wall to facilitate movement of bins to the respective collection points at either end of the terrace.

9.11 Amenity Space

9.11.1 DCAN 8 states that housing layouts need to maintain a clear definition between the public or civic realm of the street and private space associated with the dwelling. Front gardens, or other forms of defensible space, of even a modest size, can provide an effective buffer to the street, particularly if car parking can be accommodated on-street. The proposed provision of rear garden space has been provided which meets the minimum standard (10-30sqm) for a high density housing complex as stipulated in Creating Places. Bin storage locations have been provided to the rear of the properties. As such the proposed development is compliant with PPS 7 QD1 (c) in that a sufficient amount of private open space has been provided.

9.12 Overlooking

9.12.1 The separation distance proposed between the rear of the proposed terrace and the apartment block of six units to the rear is in excess of twenty metres. There is a difference in levels of approximately 2.4m between the proposed terrace and the apartment block due to the topography of the site. Changes in fenestration to the rear elevation (velux windows) will not cause issues of overlooking towards the apartments. Creating places suggests a separation distance of twenty metres

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| | <p>or greater therefore the proposal is compliant with PPS 7 Policy QD1 (h) in that the layout will not create conflict by overlooking between the proposed terrace and the apartment block.</p> |
| 9.13 | Topography |
| 9.13.1 | <p>The site in conjunction with LA04/2015/0052/F has several changes in level, with the proposed development in this application rising approximately five metres in height between the western boundary (adjacent to the proposed Maple Leaf Club) and the terrace row (5-13 front elevation). There is a proposed level change of 6.2 metres from the Maple Leaf Club and the recently approved apartment block to the rear of 99-115 Connsbrook Avenue. Drawing 04A illustrates a cross section from west to east with proposed areas of fill and cut. As discussed in paragraph 9.11 there is a change in level between the rear of the proposed terrace row (14-21) and Phase 2 (LA04/2015/0052/F) to the north of this application site. Retaining walls are to be used to deal with the changes in ground level (details on drawing 16A).</p> |
| 9.14 | Design |
| 9.14.1 | <p>The site is not located within a Conservation Area or Area of Townscape Character. However achieving a quality design is still of paramount importance. The three storey townhouses are proposed to be constructed from red brick and render (off white and grey), with grey concrete roof tiles, painted timber hardwood doors, upvc black rainwater goods/fascias and soffits, and dark grey upvc windows. The ridge height of the proposed terrace will have a stepped appearance due to the topography of the site. In adherence with PPS 7 Policy QD1 (g) the design of the proposed terrace is acceptable and in keeping with the development and surrounding context of traditional terrace rows.</p> |
| 9.15 | Conclusion |
| 9.15.1 | <p>This site has been previously approved under planning permission Z/2010/0434/F for mixed use – Ulster Maple Leaf Club and residential – and the principle of the development has been established. The previous planning permission which is live is considered to have determining weight. The reduction in scale of the Ulster Maple Leaf Club is more in keeping with the established residential location. Issues of noise and odour will be addressed through the use of conditions. Contamination and flood risk have been investigated through the relevant reports submitted and assessed by Belfast City Council Environmental Health and Rivers Agency respectively. The topographical challenges of the site have been overcome by the use of retaining structures and an effective landscaping scheme. Changes in house types to units 14-21 will not have a detrimental impact on other properties by way of overlooking, and the proposed design is deemed acceptable.</p> |
| 9.15.2 | <p>Having regard to the policy context and other material considerations above, the proposal is considered to be acceptable by way of a reduced Ulster Maple Leaf Club, and change in house types for units 14-21. As such planning permission should be approved with conditions.</p> |

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| 10.0 | <p>Summary of Recommendation</p> <p>Approval</p> |
| 11.0 | <p>Conditions</p> <ol style="list-style-type: none"> 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. No part of the residential development hereby permitted shall be commenced until the social club hereby approved is constructed and operational in accordance with drawing 06A date stamped 20 August 2015, drawing 07B date stamped 03 February 2016 and drawing 08 date stamped 01 April 2015. Reason: To ensure the orderly development of the site and community benefits of the development are fully implemented. 3. The residential development hereby approved shall be allocated for social housing use and shall be managed by a registered Housing Association. Reason: To ensure the orderly development of the site and community benefits of the development are fully implemented. 4. Notwithstanding the provisions of Article 3 Part 1 Classes A, B, C, D and E, Part 2 Classes C, D and F, and Part 3 of The Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any legislation revoking that Order and re-enacting those provisions) no development shall take place within the curtilage of the dwellings hereby approved, including the formation of vehicular/pedestrian accesses, without the written permission of Belfast City Council. Reason: To preserve the integrity of the design and layout of the development and in the interests of residential amenity. 5. The materials to be used in the construction of the external surfaces of the Ulster Maple Leaf Club and Block A (14-21) hereby permitted, shall be as stipulated on drawing 05, date stamped 01 April 2015, and 07B, date stamped 03 February 2016. Reason: In the interest of visual amenity. 6. All boundary treatments shall be completed in accordance with the approved drawing 03C date stamped 03 February 2016, and drawing 09 date stamped 01 April 2015. Reason: To safeguard the privacy and amenity for prospective residents. 7. All trees to be retained shall be protected by fences or other suitable means of enclosure as per recommendations of BS 5837 'Trees in relation to Construction' 2005 ('Trees in relation to design, demolition and construction' 2012 section 6.2 (or equivalent British Standard current at time of works). Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All |

means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

8. Any excavation within tree protection areas shall be carried out using non mechanised hand tools only. All roots that are uncovered during excavation in preparation for laying foundations etc., which are in excess of 2.5cm in diameter shall be retained and shall be treated in accordance with BS 3998, 2010 Recommendations for Tree Work [or appropriate British Standard current at time of works] and foundations bridged around them. Any tree roots exposed which are in excess of 5cm in diameter, shall be surrounded in sharp sand before replacing soil or other material in the vicinity.
Reason: To respect the topography of the site and to ensure the protection of existing landscape features.
9. All hard and soft landscape works shall be completed in accordance with the approved drawing 03C date stamped 03 February 2016 and 10B date stamped 15 February 2016, 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 expiration of the first planting season following occupation of any part of the development hereby permitted.
10. 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.
11. Trees and vegetation to be retained within the site and proposed planting as indicated on drawing 10B date stamped 15 February 2016 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 Belfast City Council. Any arboricultural work shall be carried out in accordance with the approved details, BS 3998, 2010 'Recommendations for Tree Work' (or equivalent British Standard current at time of works).
Reason: To ensure the continuity of amenity afforded by existing trees and vegetation.
12. Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of Belfast City Council 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 Belfast City Council gives its written consent to any request for variation.

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

13. The landscape plan – drawing 10B date stamped 15 February 2016 – shall be carried out as approved and reviewed at years 5, 10 and 15, and any further changes agreed with Belfast City Council in writing prior to implementation.

Reason: To ensure the sustainability of the tree cover on the site through the successful long term proactive maintenance.

14. Underground services shall be designed so that they do not pass through any root protection areas of any trees to be retained and hard surfaces close to trees shall be laid in accordance with BS5837 Trees in Relation to Construction: part 11: Hard surfaces around existing trees.

Reason: To protect trees to be retained.

15. The vehicular access onto Park Avenue, including visibility splays, shall be provided in accordance the approved drawing 090798-C100 Rev B date stamped 19 October 2015 (BCC), prior to the commencement of any other works or other development hereby permitted.

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

16. No dwelling shall be occupied until related hard surfaced areas (lay-by provision) have been constructed in accordance with the approved drawing 090798-C100 Rev B date stamped 19 October 2015 (BCC) to provide adequate facilities for parking. These spaces shall be permanently retained.

Reason: To ensure adequate parking in the interests of road safety and the convenience of road users.

17. Notwithstanding the provisions of the Planning (General Development) (Northern Ireland) Order 1993, no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in (verges/service strips) determined for adoption.

Reason: To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services.

18. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing 090798-C100 Rev B bearing the Transport NI determination date stamp 27 November 2015.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

19. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of Transport NI.

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.

20. Prior to operation of the kitchen servery a proprietary odour abatement system shall be installed to suppress and disperse odours created from cooking operations on the proposed Club premises. The outlet from any extract ventilation ducting shall terminate at a height not less than one metre above the eaves height of the main building and it should be directed away from nearby dwellings.
Reason: In the interests of residential amenity.
21. Prior to occupation of the proposed residential units in Block C, D and E facing towards Park Avenue the applicant must submit to Belfast City Council, for approval, a Noise Verification Report (VR) which demonstrates that:
- (a) The glazing and ventilation requirements to the facades of the proposed building have been installed as per the specifications outlined on page 16 of the July 2015 F.R. Mark Noise Impact Assessment;
- (b) The entire window system (including frames, seals etc) and acoustic ventilation have been so installed so as to ensure that internal noise levels within any proposed residential unit shall:
- Not exceed 40 dB LAeq,16hrs at any time between 07:00hrs and 23:00hrs within any habitable room, with the windows closed and alternative means of ventilation provided in accordance with current building control requirements;
 - Not exceed 35 dB LAeq,8hr at any time between the hours of 23:00hrs and 07:00hrs in accordance with current building control requirements;
 - Not exceed 45 dB LAmax for any single sound event between 23:00hrs and 07:00hrs within any proposed bedrooms with the windows closed and alternative means of ventilation provided in accordance with current building control requirements.
- Reason: Protection of residential amenity
22. Prior to occupation of the proposed development, the applicant must submit to the Council, for approval, a Noise Verification Report (VR) which demonstrates that:
- the entire window systems (including frames, seals etc) installed in the ground floor lounge bar and multi-purpose room are capable of achieving the sound attenuation requirements across octave bands 63 Hz to 4KHz outlined as necessary in table 3, page 7 of July 2015 F.R. Mark Noise Assessment based on a music noise level of 95 dBA;
 - the entire window system of all other glazing units away from the ground floor lounge and multi-purpose room in the proposed club are of a typical thermal double glazing specification of float 4-12-4 or better;
 - The sound rating level (dB LA_r) of all combined building plant services associated with the proposed Club does not exceed the background sound level measured at the nearest noise sensitive residential premises as measured and assessed in accordance with BS4142:2014;
 - The two fire exit doors proposed to the ground floor bar lounge and multi-purpose room meet, as a minimum, the sound insulation specification across octave bands 63Hz to 4KHz for the IAC Noise Lock Door 47 as quoted in table 4, page 9 of the noise assessment and that they close to compressible seals at jamb/head/threshold;

- All other fire exit doors incorporated into the proposed Club are well sealed solid core doors with a density of at least 40kg/m² and are capable of providing at least 36 dB R_w

Reason: Protection of residential amenity

23. No entertainment is to be provided in the first floor area of the proposed Club.

Reason: Protection of residential amenity

24. No Vent Axia type wall mounted extract or supply fans are to be incorporated into the proposed structure;

Reason: Protection of residential amenity

25. No un-silenced ductwork is to be incorporated into the proposed structure.

Reason: Protection of residential amenity

26. The ground floor and first floor terraces are to be used for emergency access only.

Reason: Protection of residential amenity

27. All windows throughout the Club are to be kept shut during entertainment.

Reason: Protection of residential amenity

28. The applicant, on completion of the works and prior to the occupation of the proposed development, shall provide to Belfast City Council, for approval, a Verification Report. This report must provide confirmation that all works were completed in accordance with the agreed details in the Contamination Assessment PM10-1059 (Remediation recommendations) prepared by Pentland Macdonald. The report must include the site development plan confirming full details of the location of the hard standing and in areas where buildings or hard standings are not proposed, details of the clean cover system. Results of the testing of all imported material to be used in the cover system must also be included. In particular, this Verification Report must demonstrate that:

- That all garden areas have been excavated to at least 1m bgl and re-instated with a clean cover system incorporating a minimum 300 mm capillary break layer and a minimum 700 mm of clean soils.
- That all landscaped areas have been excavated to at least 0.5m bgl and re-instated with a clean cover system incorporating a minimum 0.5 m of clean soils.
- All remaining areas must be demonstrated to have been covered by hard standing or buildings.
- All imported materials must be demonstrably suitable for the Residential with Plant Uptake end-use.

This report shall demonstrate the successful completion of remediation works and that the site is now fit for end use. It must be demonstrated that contaminant-pathway-target linkages between any contamination and end users are effectively broken.

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| | <p>The verification report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In addition to the Environment Agency guidance on Verification Reporting, Liverpool City Council has issued some best practice guidance on the Verification of Dig and Dump and Capping remediation programmes. This can be found at http://www.liverpool.gov.uk/Images/tcm21-174921.pdf</p> <p>Reason: Protection of residential amenity</p> |
| 12.0 | Notification to Department (if relevant) N/A |
| 13.0 | Representation from elected member: |

| ANNEX | |
|---|----------------|
| Date Valid | 1st April 2015 |
| Date First Advertised | 8th May 2015 |
| Date Last Advertised | N/A |
| <p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 10 Park Avenue,Strandtown,Belfast,Down,BT4 1PU, The Owner/Occupier, 101 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 102 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 103 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 104 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 105 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 106 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 107 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 108 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 109 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 11 Park Avenue Strandtown Belfast The Owner/Occupier, 110 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 111 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 112 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 113 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 114 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 115 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 116 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 117 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 118 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 119 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 120 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 121 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 122 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 123 Connsbrook Avenue Strandtown Belfast The Owner/Occupier, 125 Connsbrook Avenue,Strandtown,Belfast,Down,BT4 1JX, The Owner/Occupier, 13 Park Avenue Strandtown Belfast The Owner/Occupier, 15 Park Avenue Strandtown Belfast The Owner/Occupier, 17 Park Avenue Strandtown Belfast The Owner/Occupier, 18 Sydenham Park Strandtown Belfast The Owner/Occupier, 19 Park Avenue Strandtown Belfast The Owner/Occupier, 20 Sydenham Park Strandtown Belfast The Owner/Occupier, 21 Park Avenue Strandtown Belfast The Owner/Occupier, 22 Sydenham Park Strandtown Belfast The Owner/Occupier, 23 Park Avenue Strandtown Belfast The Owner/Occupier, 24 Sydenham Park Strandtown Belfast The Owner/Occupier, 25 Park Avenue Strandtown Belfast The Owner/Occupier, 26 Sydenham Park Strandtown Belfast The Owner/Occupier, 28 Sydenham Park Strandtown Belfast The Owner/Occupier, 30 Sydenham Park Strandtown Belfast</p> | |

The Owner/Occupier, 31 Sefton Park,Strandtown,Belfast,Down,BT4 1PN,
 The Owner/Occupier, 31 Shaw Street,Strandtown,Belfast,Down,BT4 1PT,
 The Owner/Occupier, 32 Sefton Park,Strandtown,Belfast,Down,BT4 1PN,
 The Owner/Occupier, 32 Sydenham Park Strandtown Belfast
 The Owner/Occupier, 33 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 34 Sydenham Park Strandtown Belfast
 The Owner/Occupier, 35 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 35 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 36 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 36 Sefton Drive,Strandtown,Belfast,Down,BT4 1PL,
 The Owner/Occupier, 36 Sydenham Park Strandtown Belfast
 The Owner/Occupier, 37 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 37 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 38 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 38 Sydenham Park Strandtown Belfast
 The Owner/Occupier, 39 Colvil Street,Strandtown,Belfast,Down,BT4 1PS,
 The Owner/Occupier, 39 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 39 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 39 Park Avenue,Strandtown,Belfast,Down,BT4 1PU,
 The Owner/Occupier, 40 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 40 Shaw Street,Strandtown,Belfast,Down,BT4 1PT,
 The Owner/Occupier, 40 Sydenham Park Strandtown Belfast
 The Owner/Occupier, 41 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 41 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 41-43,Park Avenue,Strandtown,Belfast,Down,BT4 1PU,
 The Owner/Occupier, 41-43,Park Avenue,Strandtown,Belfast,Down,BT4 1PU,
 The Owner/Occupier, 42 Colvil Street,Strandtown,Belfast,Down,BT4 1PS,
 The Owner/Occupier, 42 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 43 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 43 Park Avenue,Strandtown,Belfast,Down,BT4 1PU,
 The Owner/Occupier, 44 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 45 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 45 Park Avenue Strandtown Belfast
 The Owner/Occupier, 46 Hillfoot Street Strandtown Belfast
 The Owner/Occupier, 8 Park Avenue,Strandtown,Belfast,Down,BT4 1PU,
 The Owner/Occupier, 99 Connsbrook Avenue Strandtown Belfast

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| Date of Last Neighbour Notification | 07 May 2015 |
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| Date of EIA Determination | |
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| ES Requested | No |
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| Notification to Department (if relevant) | |
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Date of Notification to Department:
 Response of Department: