## Development Management Officer Report Committee Application

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Committee Meeting Date: 17 May 2016		
<b>Application ID:</b> LA04/2015/1445/O		
<b>Proposal:</b> Development of a four storey office building and external landscaping to include carparking	Location: Weavers Court Business Park Linfield Road Belfast BT12 5GH	
Referral Route: Major Application	<u> </u>	
Recommendation:	Approve subject to Conditions	
Applicant Name and Address: Linfield Properties Weavers Court Business Park Linfield Road Belfast BT12 5GH	Agent Name and Address: Doherty Architects 6 Kinnaird Street Belfast BT14 6BE	
<ul><li>Executive Summary: The application seeks Outline planning permission for a four storey office building and external landscaping and car parking.</li><li>The main issues to be considered in this case are:</li></ul>		
<ul> <li>The acceptability of development on this site and the acceptability of office use at this location;</li> <li>Loss of existing open space;</li> <li>Impact upon setting of the listed building;</li> <li>Contaminated Land;</li> <li>The impact on existing roads infrastructure.</li> </ul>		
The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. The site is located on unzoned whiteland.		
The principle of development on this site was established under a previous application granted January 2011 under Z/2007/0417/F and was still a live application when this Outline application was submitted.		
The principle of office development is acceptable at this location and any potential negative impacts on the setting and character of the listed building have been addressed through the submission of supporting information. NIEA Historic Buildings Unit is content with the principle of the proposal.		

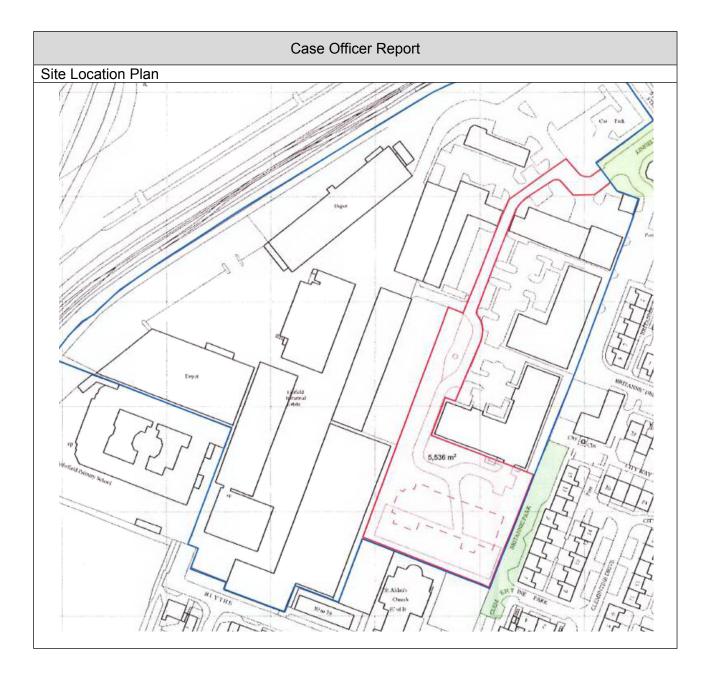
Transport NI, NIWater, NIEA Historic Buildings and Historic Monuments Units, and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal in principle and standard conditions are to be applied.

The proposal has been assessed against the – Belfast Metropolitan Area Plan; and relevant planning Policies contained within the Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: 'Access Movement and Parking', Planning Policy Statement 6: 'Planning,

Archaeology and the Built Heritage', Planning Policy Statement 8: 'Open Space, Sport and Outdoor Recreation. The proposed is considered to be in accordance with the Belfast Metropolitan Area Plan relevant planning policies, and other material considerations.

## Recommendation

Approve subject to conditions set out in case officers report.



Chara	Characteristics of the Site and Area	
1.0	Description of Proposed Development         Outline application for a four storey office building with external landscaping and car parking.         The proposed building is to be located on an existing car park and potentially an area of	
	existing open space. The indicative layout shows car parking located within the area of existing parking in the southern portion of the site, parallel to the southern boundary, and also to the immediate north of the building. An access road will run entirely around the proposed building with a one-way system operating.	
	The applicant has submitted for information detailed plans, including four storeys of floorplans and a section through the building shows a ridge height of approximately 19m at the highest point. However, the application is outline and this will establish / retain the principle of development only.	
2.0	<b>Description of Site</b> Located on the periphery of an inner city industrial estate. The site is partly hard standing (car parking) and a lawn area. The southern and eastern boundaries are defined by a high red- bricked wall. The northern and western boundaries are open onto adjoining buildings.	
Plann	Planning Assessment of Policy and other Material Considerations	
3.0 3.1	<b>Planning History</b> Z/2007/0417/F - Development of a 4-storey office building including basement car park and external landscaping.	
	Approved 27 <sup>th</sup> January 2011	
4.0	Policy Framework	
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 4 – Planning and Economic Development	
	Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation	
5.0	Statutory Consultees         Transport NI – No objection         NIEA Historic Buildings Unit – No objection         NIEA Historic Monuments Unit – No objection         NIEA Water Management Unit – No objection         NIEA Historic Environment Division – No objection	
6.0	Non-Statutory Consultees Environmental Health BCC – No objection	

7.0	Representations	
8.0	None received	
0.0	Other Material Considerations N/A	
9.0	Assessment	
	The key issues in the assessment of the proposed development include:	
	- The acceptability of office use at this location;	
	<ul> <li>Loss of existing open space;</li> <li>Impact upon setting of the listed building;</li> </ul>	
	- Contaminated Land;	
9.1		
9.1	<b>Principle of Redeveloping the Site</b> The site is located within the development limits of the Belfast Metropolitan Area Plan on	
	unzoned (white) land. The presumption is therefore in favour of development subject to the	
	planning considerations detailed below.	
	The proposal has been assessed against paragraphs 4.23-4.29 of the SPPS.	
	The principle of the developing the site for offices has been established with the previous approval on the site Z/2007/0417/F (granted 27 <sup>th</sup> Jan 2011). This was a four storey building	
	with a maximum height of 17.7m above finished ground level, with basement car parking.	
	The indicative section submitted with this application in response to NIEA concerns regarding	
	the setting of the adjacent listed church shows a building with a flat roof and a height of approximately 17.8m.	
9.2	Principle of Office Use at this location	
	The site is located within the city centre as defined in the Area Plan. The proposal therefore	
	complies with Policy F1 of the Belfast Metropolitan Area Plan in that the site is located within the designated Belfast City Centre.	
	The proposal has been assessed against Policies PED1 and PED7 of PPS4. The site is	
	located within the City Centre as defined in the Belfast Metropolitan Area Plan and thus the	
	proposed office use complies with Policy PED1.	
	A proposal for economic development use, in addition to the other policy provisions of this	
	Statement, will be required to meet all the following criteria:	
	(a) it is compatible with surrounding land uses;	
	The proposal is within an established industrial/ office area within Belfast City Centre	
	boundary. NIEA are now satisfied that the building would not adversely affect the	
	setting of the adjacent listed church.	
	(b) it does not harm the amenities of nearby residents;	
	A row of established two storey properties (1-9 Britannic Park) front onto the eastern	
	boundary of the site.	
	Although only an outline application, the applicant has submitted indicative plans	
	showing the built form located approximately 5.5m from the eastern boundary wall.	
	This means that the building would be located approximately 17m from the front of the	
	dwellings. Whilst this is in keeping with a previous approval it may not result in a	
	comfortable relationship. Therefore, whilst a building is possible on the site, at reserved matters detail should ensure impact to neighbouring properties is minimised.	

(c) it does not adversely affect features of the natural or built heritage; The indicative layout shows that an area of soft landscaping will be lost as a result of the proposed development, therefore the area to be built on should be restricted in order to retain as much soft landscaped area as possible. As stated above the loss of part of this area was accepted under the previous approval. The development of an office block at this location is accepted in principle but further loss of amenity should be prevented and minimised. NIEA are satisfied that the proposal will not be detrimental to the setting of the adjacent listed church, located a short distance from the southern boundary of the site. (d) it is not located in an area at flood risk and will not cause or exacerbate flooding; The area is not within a designated flood plain or an area that has been identified as being prone to flooding. (e) it does not create a noise nuisance; The proposed use is not likely to cause significant noise levels that would impact on amenity of nearby properties. (f) it is capable of dealing satisfactorily with any emission or effluent; No emissions would be associated with the proposed use. (g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified; TransportNi have offered no objections to the proposal. A parking statement points to the location of the site, the provision of cycle facilities and the access to various forms of public transport. (h) adequate access arrangements, parking and manoeuvring areas are provided; Whilst details have been submitted in a parking statement which details the additional parking provision of 30 spaces, with the removal of the existing 48 spaces and the proposed 78 spaces. The details will be dealt with at reserved matters stage should approval be forthcoming (i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport: The proposed access road and parking tie in with the existing access road and road infrastructure with an indicative floor plan showing provision of cycle parking. (i) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity: The application is for outline planning permission, design and general details can be considered further at reserved matters stage should approval be forthcoming. (k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view; As above landscaping can be considered at detailed design stage. (I) is designed to deter crime and promote personal safety; and As stated above such design matters can be considered fully on submission of

	detailed plans at reserved matters stage.
9.3	Loss of Existing Open Space The indicative layout shows that an area of soft landscaping will be lost as a result of the proposed development, therefore the area to be built on should be restricted in order to retain as much soft landscaped area as possible. As stated above the loss of part of this area was accepted under the previous approval. The development of an office block at this location is accepted in principle but further loss of amenity should be prevented and minimised.
9.4	<b>Contaminated Land</b> An updated Contamination Assessment report has been provided by Pentland Macdonald Ltd in support of this application. The assessment includes both preliminary and generic quantitative risk assessments (PRA and GQRA). Intrusive site investigations were undertaken in 2007, however no change to the site situation is noted to have occurred since that date. No unacceptable risks are identified to the environment from the low levels of groundwater contamination detected at the site in 2007.
9.5	The GQRA identifies no pathway linkages for the shallow groundwater to impact groundwater or surface water receptors therefore no unacceptable risks were identified. There is the potential for piling to create vertical pathways which might put the Sherwood Sandstone aquifer at depth at risk from the hydrocarbon contamination. A piling risk assessment should be required for this development.
	NIEA Waste Management and the Environmental Protection Unit have no objections to the development provided conditions are placed on any Planning Decision Notice as recommended below.
9.6	Listed Buildings and Historic Monuments The proposal has been assessed against Policy BH2 of PPS 6. The application site is on the location of the former Linfield Flax and Linen Factory (IHR10156), one of the largest weaving factories in Ireland. This is a location of local importance. In the late nineteenth century the application area contained part of the mill manager's house of "Linfield" and associated gardens. By the mid twentieth century this area was largely built up and part of the factory complex. More recent redevelopment on this site has resulted in the landscaping of the application area. 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 <i>in situ</i> , as per Policy BH 4 of PPS 6. The attached condition (11.7) would be appropriate in this case.
9.7	The proposal has been assessed against Policy BH11 of Planning Policy Statement 6. The buildings in the vicinity of the listed church are predominately two-storeys high. The application site is immediately to the rear (north) of the listed building and the proposal is for a four-storey office building.
9.8	NIEA had initial concerns that a four-storey building of this size and at this location could possibly affect the setting of the listed church in terms of scale, height, massing and materials. Subsequently further information was requested to further assess any potential impact including a section through the proposed building showing it in its context and in juxtaposition with the listed church, an elevation of the south facade with finishes clearly noted and photomontages showing the listed church with the proposed building to the rear.

	This additional information was subsequently submitted and NIEA now consider the proposal satisfies the requirements of Policy BH11.	
	Traffic and Parking	
9.9	The proposal has been assessed against PPS3, TRAN 1 and policy CC025 of BMAP and is considered acceptable.	
	The proposed site is in use as a car parking area and is therefore proposed to be removed under this proposal, TransportNI requested a Parking Statement to justify its removal (ie to show that the remaining parking is adequate for the existing development) and calculate the additional parking requirement for the proposed development. (An alternative proof may be appropriate where the development as a whole, following development, is adequately provided to TRAN 1 standards.)	
	A parking statement was subsequently submitted on 2 <sup>nd</sup> February 2016. This statement points to the location of the site, the provision of cycle facilities and the access to various forms of public transport. It also details the potential to provide additional parking provision of 30 spaces, with the removal of the existing 48 spaces and the proposed 78 spaces.	
	The applicant has demonstrated that a four storey office block with adequate parking is achievable on the site.	
10.0	Summary of Recommendation: Approval	
10.1	Having regard to the policy context and other material considerations above, including planning history on the site, the proposal is considered acceptable and planning permission should be approved for the following reasons.	
10.2	Four storey building previously approved on site on 27 <sup>th</sup> January 2001 (Z/2007/0417/F). The approval was still live when the current application was submitted. Details reserved for further consideration at reserved matters stage.	
11.0	Conditions	
11.1	As required by Article 62 of the Planning Act (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Department within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-	
	i. the expiration of 5 years from the date of this permission; or	
	ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be	

	Reason: Time Limit	
11.2	The under-mentioned reserved matters shall be as may be approved, in writing, by the Department :-	
	Siting; the two dimensional location of buildings within the site.	
	Design; the two dimensional internal arrangement of buildings and uses and the floor space devoted to such uses, the three dimensional form of the buildings and the relationship with their surroundings including height, massing, number of storeys, general external appearance and suitability for the display of advertisements.	
	External appearance; the colour, texture and type of facing materials to be used for external walls and roofs.	
	Access; the location and two dimensional design of vehicular and pedestrian access to the site from the surroundings and also the circulation, car parking, facilities for the loading and unloading of vehicles and access to individual buildings within the site.	
	Landscaping; the use of the site not covered by building and the treatment thereof including the planting of trees, hedges, shrubs, grass, the laying of hard surface areas, the formation of banks, terraces or other earthworks and associated retaining walls, screening by fencing, walls or other means, the laying out of gardens and the provisions of other amenity features.	
	Reason: To enable the Department to consider in detail the proposed development of the site.	
11.3	The development shall not become operational until hard surfaced areas have been constructed and permanently marked generally in accordance with the Drawing which Planning have numbered 08 on 2/2/16. 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 development.	
	Reason: To ensure that adequate provision has been made for parking, servicing and traffic circulation within the site.	
11.4	The development hereby permitted shall not become operational until adequate car and cycle parking has been provided to the satisfaction of TransportNI at Reserved Matters stage.	
	Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.	
11.5	The development shall operate in accordance with a Travel Plan which should be provided to the satisfaction of TransportNI at Reserved Matters stage.	
	Reason: To encourage the use of alternative modes of transport to the private car.	
11.6	No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' available at http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf.	

	Reason: Protection of environmental receptors to ensure the site is suitable for use.
11.7	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 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.
11.8	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.
11.9	In the event that unexpected contamination 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 Belfast City Council for approval. The investigation, risk assessment and if necessary remediation work, must be undertaken and verified in accordance with current best practice.
	Reason: Protection of human health
11.10	A landscape plan shall be submitted at reserved matters stage to include details of all existing vegetation within the site indicating those trees to be retained or removed and methods for their protection during construction works, all proposed hard and soft landscape works, planting plans; written planting specifications; schedules of plants and trees indicating planting methods, together with the species, their location, spacing and an implementation and maintenance programme.
	Reason: To ensure the provision of amenity afforded by appropriate landscape design.
	Informatives 1. 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.
	2. The purpose of the Conditions 11.6 and 11.7 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.

	3. The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.
	4.NIEA Waste Management recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.
	5. For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:
	Historic Environment Division - Historic Monuments Unit Causeway Exchange -7 Bedford St
	Belfast, BT2 7EG Quote reference: SM11/1 IHR 10119
	<ul> <li>6. Application for the excavation licence, required under the Historic Monuments and Archaeological Objects (NI) Order 1995, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to: Historic Environment Division - Historic Monuments Unit Causeway Exchange 1-7 Bedford St Belfast, BT2 7EG</li> </ul>
	7. 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. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks. Failure to provide a satisfactory Verification Report may 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.
	8. The applicant is advised to ensure that all plant and equipment used in connection with the proposal is so situated, operated and maintained as to prevent the transmission of noise and odour to nearby commercial and residential premises.
12.0	Notification to Department (if relevant) N/A
13.0	Representation from elected member
	None
Neight	our Notification Checked Yes
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ANNEX		
Date Valid	16th November 2015	
Date First Advertised	4th December 2015	
Date Last Advertised	4th December 2015	
Details of Neighbour Notification (all addresses 1 Brittanic Park, Malone Lower, Belfast, Antrim, BT 13 Brittanic Park, Malone Lower, Belfast, Antrim, BT 13 Brittanic Park, Malone Lower, Belfast, Antrim, BT 15 Brittanic Park, Malone Lower, Belfast, Antrim, BT 49 Linfield Road, Malone Lower, Belfast, Antrim, BT 5 Brittanic Park, Malone Lower, Belfast, Antrim, BT 15 Brittanic Park, Malone Lower, Belfast, Antrim, BT 17 Brittanic Park, Malone Lower, Belfast, Antrim, BT 18 Blythe Street, Malone Lower, Belfast, Antrim, BT 19 Brittanic Park, Malone Lower, Belfast, Antrim, BT 10 Academy Digital Colour 77 Blythe Street BT12 5H 17 Academy Digital Colour 77 Blythe Street, Malone Lower, UNIT 10, Weavers Court Business Park, Linfield Ro UNIT 19, Weavers Court Business Park, Linfield Ro UNIT 2, Weavers Court Business Park, Linfield Ro UNIT 4D, Weavers Court Business Park, Linfield Ro UNIT 5A, Weavers Court Business Park, Linfield Ro Unit 13, Weavers Court Business Park, Linfield Ro Unit 14b, S1 Linfield Road, Malone Lower, Belfast, An Unit 18c, 51 Linfield Road, Malone Lower, Belfast, An Unit 18b, 51 Linfield Road, Malone Lower, Belfast, A Unit 18b, 51 Linfield Road, Malone Lower, Belfast, A Unit 19b, 51 Linfield Road, Malone Lower, Belfast, A Unit 19b,	2 5HG, 12 5HG, 12 5HG, 2 5HG, 2 5HG, 2 5HG, BT12 5HP, BT12 5HP, BT12 5HP, 2 5HG, 12 5HX, 12 5HS, 2 5HG, X ver,Belfast,Antrim,BT12 5HX, bad,Malone Lower,Belfast,Antrim,BT12 5LA, ad,Malone Lower,Belfast,Antrim,BT12 5GH, bad,Malone Lower,Belfast,Antrim,BT12 5GH, ad,Malone Lower,Belfast,Antrim,BT12 5GH, ad,Malone Lower,Belfast,Antrim,BT12 5GH, ad,Malone Lower,Belfast,Antrim,BT12 5GH, ad,Malone Lower,Belfast,Antrim,BT12 5GH, ad,Malone Lower,Belfast,Antrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, htrim,BT12 5LA, bad,Malone Lower,Belfast,Antrim,BT12 5LA, bad,Malo	

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Date of Last Neighbour Notification	17 <sup>th</sup> December 2015	
Date of EIA Determination	N/A	
ES Requested	No	
Drawing Numbers and Title		
01, 02		
Notification to Department (if relevant)		
Date of Notification to Department: Response of Department:		