

Development Management Report Committee Application

Summary	
Committee Meeting Date: Tuesday 15 December 2020	
Application ID: LA04/2020/1563/F	
<p>Proposal: Variation of conditions 2 (method of works statement), 3 (road construction details), 5 (archaeological programme of works) and 7 (hard and soft landscaping details) of planning permission LA04/2015/0405/F to enable the development to be delivered in two phases. Phase 1 will be the construction of the toucan crossing on Ormeau Embankment and associated works, Phase 2 will comprise the remaining works including construction of the main bridge structure.</p>	<p>Location: Lower Ormeau Embankment and River Terrace Belfast.</p>
Referral Route: Variation of Conditions for a Major Application	
Recommendation:	APPROVAL
<p>Applicant Name and Address: DFI Roads Clarence Court 10-18 Adelaide Street Belfast BT2 8GB</p>	<p>Agent Name and Address: Amey Rushmere House 46 Cadogan Park Belfast BT9 6HH</p>
<p>Executive Summary:</p> <p>The proposal seeks permission under Section 54 of the Planning Act to vary conditions 2 (method of works statement), 3 (road construction details), 5 (archaeological programme of works) and 7 (hard and soft landscaping details) of planning permission LA04/2015/0405/F to enable the development to be delivered in two phases. Phase 1 will be the construction of a pedestrian toucan crossing on Ormeau Embankment and associated works, Phase 2 will comprise the remaining works including construction of the main bridge structure.</p> <p>Planning permission for the bridge was granted in April 2016 with various conditions and is due to expire in April 2021. Funding to construct the bridge, will not be available until the end of 2020 and therefore it is likely that a contractor will not be appointed until after the expiry of the planning permission. The wording of the existing Conditions require the submission and agreement of detailed environmental information prior to the commencement of development. Given the tight timescales, there is a risk that there will be insufficient time for the contractor to compile and submit the detailed environmental surveys prior to April 2021.</p> <p>To implement the planning permission, it is proposed to 'phase' the development and construct the approved toucan crossing on Ormeau Embankment. These works require minimal invasive works to the existing carriageway and can therefore be implemented without risk to the surrounding</p>	

environment. By enacting the planning permission, it will allow the contractor time to undertake the required surveys and submit them before construction commences on the permitted bridge, pedestrian and cycle links (with the exception of a toucan crossing at Ormeau Embankment), car park, storm drainage, lighting and landscaping.

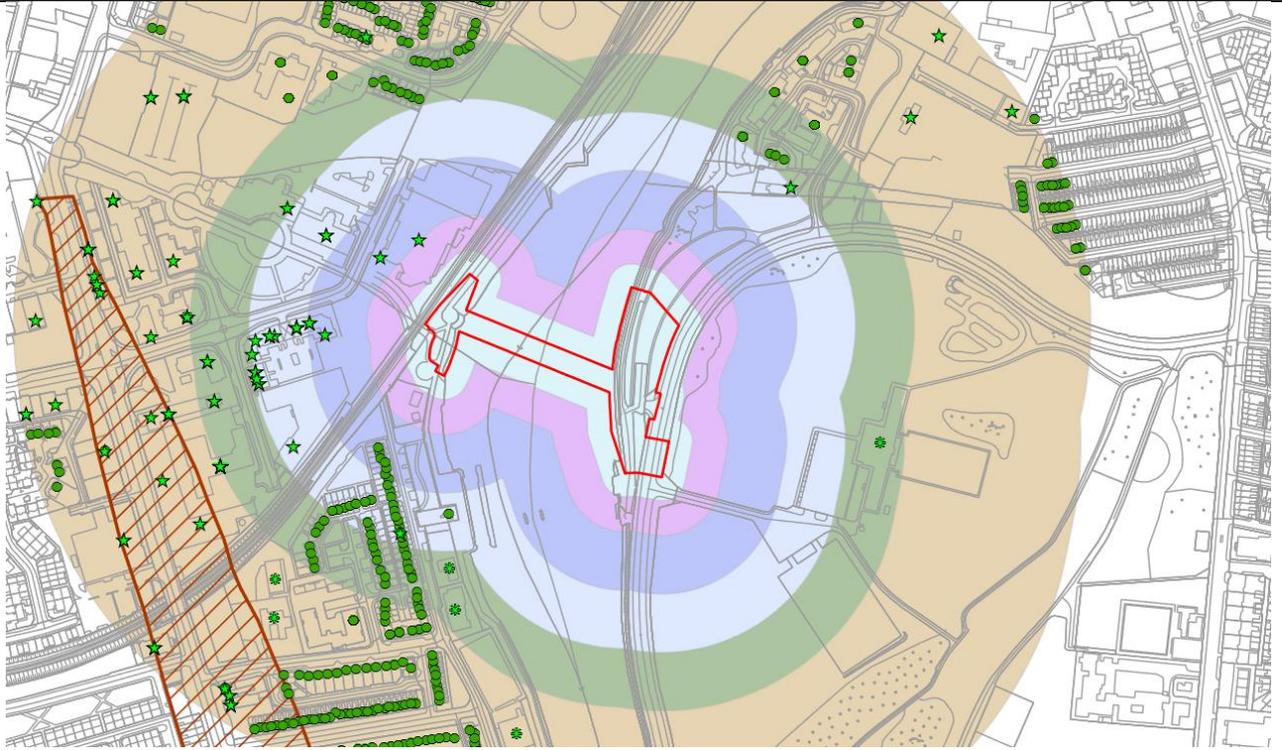
No objections have been received from consultees or the public.

The proposed revisions to the conditions will not adversely impact on amenity or the natural environment, and is therefore compliant with all relevant policy considerations. Additional conditions are also requested by DFI Roads, DEARA and SES and are necessary in order to secure delivery of appropriate roads infrastructure details and ensure adequate mitigation in order to protect natural heritage features and assets.

Approval is therefore recommended subject to delegated authority to the Director of Planning & Place to finalise the wording of the conditions.

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Statutory	Historic Environment Division (HED)	Content
Statutory	DFI Roads - Hydebank	Content
Statutory	NIEA	Content
Non Statutory	Env Health Belfast City Council	Content
Statutory	Rivers Agency	Content
Non Statutory	Shared Environmental Services	Content

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received
Representations from Elected Members	None Received

1.0 Characteristics of the Site and Area

1.1 The site is located on and adjacent to the River Lagan in east Belfast adjacent to the Gasworks on the city centre side of the river and Ormeau Playing Fields on the opposite side and comprises area of open/public space and the River Lagan itself.

There are mostly non-residential / office uses adjacent to the site on the city centre side with parkland on the southern side.

1.2 The application seeks to vary conditions attached to LA04/2015/0405/F, a full planning permission for a pedestrian and cycle bridge (5.0m between parapets) with combined foot and cycle ramps from close to railway underpass on west bank to quay on east bank; pedestrian and cycle links to existing routes, car park, storm drainage, lighting and landscaping.

Planning Assessment of Policy and Other Material Considerations

2.0 Consultation Responses:

- 2.1 Transport NI – no objections;
- 2.2 Environmental Health – no objections;
- 2.3 NIEA – no objections;
- 2.4 Rivers Agency – no objections;

3.0 Site history:

- 3.1 LA04/2015/0405/F.

4.0 Representations:

- 4.1 None received.

5.0 Relevant Policies:

- 5.1 Regional Development Strategy (RDS);
- 5.2 Belfast Urban Area Plan 2001 (BUAP), Belfast Metropolitan Area Plan (BMAP);
- 5.3 Strategic Planning Policy Statement (SPPS);
- 5.4 Planning Policy Statement 2: Natural Heritage (PPS2);
- 5.7 Planning Policy Statement 3 : Roads Considerations (PPS3); Development Control Advice Note 15;
- 5.8 Planning Policy 8: Recreation and Open Space (PPS8);
- 5.9 Planning Policy Statement 15: Planning and Flood Risk (PPS15)

6.0 Assessment:

6.1 The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.

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

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

6.4 The proposed design consists of two pylons 26m in height above the High Tide Water Level, with cable supports connected to a walkway 5m in width. The overall span across the river extends to 143m. The design is modern in approach, and will not be visually discordant within the streetscape or adversely impact on the character of the area. The current application seeks to vary the wording of conditions attached to the planning permission for the bridge, the design remains as approved in the previous and therefore it is acceptable.

6.5 Planning permission for the bridge was granted in April 2016 with various conditions and is due to expire in April 2021. In order for the proposed scheme to progress before the expiry of the planning permission in April 2021, a phased approach to the development is proposed. DfI have proposed the construction of the toucan crossing as the first phase of the scheme, before the planning permission expires in order to ensure the planning permission remains extant. As planning conditions have not yet been discharged, a Section 54 Application is therefore required under the Planning Act (Northern Ireland) 2011.

6.6 Condition 2 relates to the submission of a Method of Works Statement and states, "A detailed Method of Works Statement shall be submitted by the appointed contractor and agreed with Belfast City Council Planning Service prior to any works hereby permitted commencing. This statement shall include details of all pollution prevention and mitigation measures, including full details of a water quality monitoring programme for the construction phase of the development. All agreed details in the Method of Works statement shall be operational and retained in situ for the duration of the development and until the development hereby permitted becomes operational. The detailed Method of Works statement shall be submitted at least 8 weeks prior to the commencement of any works or phase of works hereby permitted."

Permission is sought for Condition 2 to be varied to,

"Prior to the commencement of development of the permitted bridge, pedestrian and cycle links with the exception of a toucan crossing at Ormeau Embankment, car park, storm drainage, lighting and landscaping, a detailed Method of Works Statement shall be submitted by the appointed contractor and agreed with Belfast City Council Planning Service. This statement shall include details of all pollution prevention and mitigation measures, including full details of a water quality monitoring programme for the construction phase of the development. All agreed details in the Method of Works statement shall be operational and retained in situ for the duration of the development and until the development hereby permitted becomes operational. The detailed Method of Works statement shall be submitted at least 8 weeks prior to the commencement of the relevant works."

6.7 Condition 3 requires the submission of details on the proposed road improvements and states, "No part of the construction hereby approved shall be commenced until details of proposed construction and resurfacing, provision of and alterations to kerbing including tactile paving at crossing points, provision of and alterations to road drainage system including road gullies and manholes, relocation of and alterations to existing services, provision of and alterations to street lighting and other street furniture which are generally in accordance with Drawing No. CO401210-AME-SBR-LAG-DE-S-007 'General Arrangement Plan' dated by the Belfast City Council Planning Office 1 June 2015 have been submitted to and approved by Transport NI. All works shall comply with the requirement of the Design Manual for roads and Bridges and all other relevant standards and technical guidance and completed to the satisfaction of DRD Transport NI."

Permission is sought for Condition 3 to be varied to,

"Prior to the commencement of each phase of the approved development details of the proposed construction and resurfacing, provision of and alterations to kerbing including tactile paving at crossing points, provision of and alterations to road drainage system including road gullies and manholes, relocation of and alterations to existing services, provision of and alterations to street

lighting and other street furniture which are generally in accordance with Drawing No. CO401210-AME-SBR-LAG-DE-S-007 'General Arrangement Plan' dated by the Belfast City Council Planning Office 1 June 2015 have been submitted to and approved by Transport NI. All works shall comply with the requirement of the Design Manual for roads and Bridges and all other relevant standards and technical guidance and completed to the satisfaction of DRD Transport NI."

6.8 Condition 5 relates to the need to submit and implement an archaeological programme of works and states,

"No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme shall 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."

Permission is sought for Condition 5 to be varied to,

"No site works of any nature or development, with the exception of the development of a toucan crossing at Ormeau Embankment, shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme shall 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."

6.9 Condition 7 relates to the submission of details of landscape works and states,

"No development including site clearance works, lopping, topping or felling of trees, shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Belfast City Council Local Planning Authority. The details shall include a detailed layout together with existing and proposed levels, cross sections, hard surface materials and other hard details including street furniture.

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

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

Permission is sought for Condition 7 to be varied to,

"No development including site clearance works, lopping, topping or felling of trees, with the exception of the development of a toucan crossing at Ormeau Embankment, shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Belfast City Council Local Planning Authority. The details shall include a detailed layout together with existing and proposed levels, cross sections, hard surface materials and other hard details including street furniture.

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

A landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall be submitted to and approved by the Council Local Planning Authority. The landscape management plan shall be

carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with the Council in writing prior to implementation.”

As stated above, planning permission for the bridge will expire in April 2021. Funding to construct the bridge, will not be available until the end of 2020 and therefore it is likely that a contractor will not be appointed until after the expiry of the planning permission. The wording of the existing Conditions require the submission and agreement of detailed environmental information prior to the commencement of development. Given the tight timescales, there is a risk that there will be insufficient time for the contractor to compile and submit the detailed environmental surveys prior to April 2021.

To implement the planning permission, it propose to ‘phase’ the development and construct the approved toucan crossing on Ormeau Embankment. These works require minimal invasive works to the existing carriageway and can therefore be implemented without risk to the surrounding environment. By enacting the planning permission, it will allow the contractor time to undertake the required surveys and submit them before construction commences on the permitted bridge, pedestrian and cycle links (with the exception of a toucan crossing at Ormeau Embankment), car park, storm drainage, lighting and landscaping.

No objections have been received from consultees or the public.

The proposed revisions to the conditions will not adversely impact on amenity or the environment, and is therefore compliant with all relevant policy considerations. Additional conditions are also requested by Roads, DEARA and SES and are necessary in order to secure delivery of appropriate roads infrastructure details and ensure adequate mitigation in order to protect natural heritage features and assets.

Approval is therefore recommended subject to delegated authority to the Director of Planning & Place to finalise the wording of the conditions.

Neighbour Notification Checked

Yes

Conditions/Reasons for Refusal:

Revised conditions as set out above in addition to repeating the original conditions as set out in the approved decision, and summarised in the original planning report (appended). Consultees have also requested the following additional conditions:

1. The development hereby permitted shall be implemented in general accordance with the drawings uploaded to the Planning Portal 24th August 2020 and 3rd November 2020. Full details of the toucan crossing shall be submitted and agreed in writing by the Council prior to commencement of the toucan crossing works. The development shall be carried out in accordance with the agreed details and retained thereafter.

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

2. All surface water run-off during the construction phase shall be directed away from the River Lagan. There shall be no refuelling of construction machinery or storage of fuel or spoil within 10m of the River Lagan. These measures shall be retained until the development has been completed and verified by the Council.

REASON: To protect natural heritage features including protected European Sites in Belfast Lough.

3. A suitable buffer of at least 10m must be maintained between the location of refuelling, storage of oil/fuel, concrete mixing and washing areas and the River Lagan. These measures shall be retained until the development has been completed and verified by the Council.

REASON: To protect natural heritage features including protected European Sites in Belfast Lough.

4. A suitable buffer of at least 10m must be maintained between the location for storage of excavated spoil and construction materials and the River Lagan. These measures shall be retained until the development has been completed and verified by the Council.

REASON: To protect natural heritage features including protected European Sites in Belfast Lough.

ANNEX	
Date Valid	24th August 2020
Date First Advertised	16th October 2020
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 16 Cromac Place,Belfast,Antrim,BT7 2JB The Owner/Occupier, 22 Cromac Place,Belfast,Antrim,BT7 2JB The Owner/Occupier, 24 Cromac Place,Belfast,Antrim,BT7 2JB The Owner/Occupier, 2nd Floor,14 Cromac Place,Belfast,Antrim,BT7 2JB The Owner/Occupier, 50 River Terrace,Belfast,Antrim,BT7 2EN The Owner/Occupier, 52 River Terrace,Belfast,Antrim,BT7 2EN The Owner/Occupier, 54 River Terrace,Belfast,Antrim,BT7 2EN The Owner/Occupier, 56 River Terrace,Belfast,Antrim,BT7 2EN The Owner/Occupier, 58 River Terrace,Belfast,Antrim,BT7 2EN The Owner/Occupier, 60 River Terrace,Belfast,Antrim,BT7 2EN	
Date of Last Neighbour Notification	19th October 2020
Date of EIA Determination	21st September 2020
ES Requested	Addendum submitted with application
Planning History Ref ID: Z/1998/0716 Proposal: Riverside public pathway and environmental improvements Address: LOWER ORMEAU,ADJACENT TO RIVER LAGAN,BETWEEN ORMEAU BRIDGE & MOUTH OF RIVER BLACKSTAFF BELFAST BT7 Decision: Decision Date: Ref ID: Z/2013/0787/F Proposal: New 3G all-weather pitch, with associated perimeter fencing, floodlighting and car parking improvements Address: 50m Southeast of Ormeau Embankment Entrance to Ormeau Park, Ormeau Park, Belfast, Decision: PG Decision Date: 11.11.2014 Ref ID: Z/1994/0352 Proposal: Retention of stone infill to create riverside walkway	

Address: RIVER LAGAN RAVENHILL REACH ORMEAU EMBANKMENT BELFAST BT6
Decision:
Decision Date:

Ref ID: Z/1999/2974/F
Proposal: Public riverside pathway, amenity lighting ,railings, river access ramp and pontoon
Address: Ravenhill Reach, Ormeau Embankment, Belfast BT6 8RD.
Decision:
Decision Date: 14.02.2000

Ref ID: Z/1991/0967
Proposal: Environmental improvements
Address: RAVENHILL REACH, ORMEAU EMBANKMENT BELFAST BT7
Decision:
Decision Date:

Ref ID: Z/1997/2601
Proposal: Construction of public open space incorporating pedestrian access from Ormeau Road/Cromac Street and extension of a distribution road within the site, hard and soft landscaping, railings, piers, street lighting, tree shrub planting and grassing.
Address: FORMER GASWORKS SITE, ORMEAU ROAD, BELFAST BT7
Decision:
Decision Date:

Ref ID: Z/1998/2054
Proposal: Development of 2 business units, 10 own door offices with associated car parking and landscaping and ancillary private parking for 107 cars.
Address: GASWORKS DEVELOPMENT AREA, ORMEAU ROAD, BELFAST BT7
Decision:
Decision Date:

Ref ID: Z/1998/1119
Proposal: Pedestrian access to link the Gasworks Development Site to Riverside Pathway, including environmental improvements and river flood prevention engineering works
Address: FORMER MOUTH OF RIVER BLACKSTAFF MAYSFIELD BELFAST BT1
Decision:
Decision Date:

Ref ID: Z/1990/3011
Proposal: Construction of Riverside Walkway (Phase 2) including part infilling and landscaping of Lagan embankment and provision of a pontoon and inlet for leisure boating

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

Decision:

Decision Date:

Ref ID: Z/1997/0808

Proposal: Development of slipway for public access to River Lagan, and including parking areas and new vehicular access from Ormeau Embankment

Address: MCCONNELL WEIR ORMEAU EMBANKMENT BELFAST BT7

Decision:

Decision Date:

Ref ID: Z/1990/0718

Proposal: Construction of gauging station

Address: MCCONNELL LOCK AND WEIR, ORMEAU EMBANKMENT BELFAST BT7

Decision:

Decision Date:

Ref ID: LA04/2015/0405/F

Proposal: Pedestrian and cycle bridge (5.0m between parapets) with combined foot and cycle ramps from close to railway underpass on west bank to quay on east bank; pedestrian and cycle links to existing routes, car park, storm drainage, lighting and landscaping

Address: Lower Ormeau Embankment and River Terrace.,

Decision: PG

Decision Date: 09.05.2016

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Officer Report Committee Application

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

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

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

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

No objections or representations have been received.

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

Recommendation

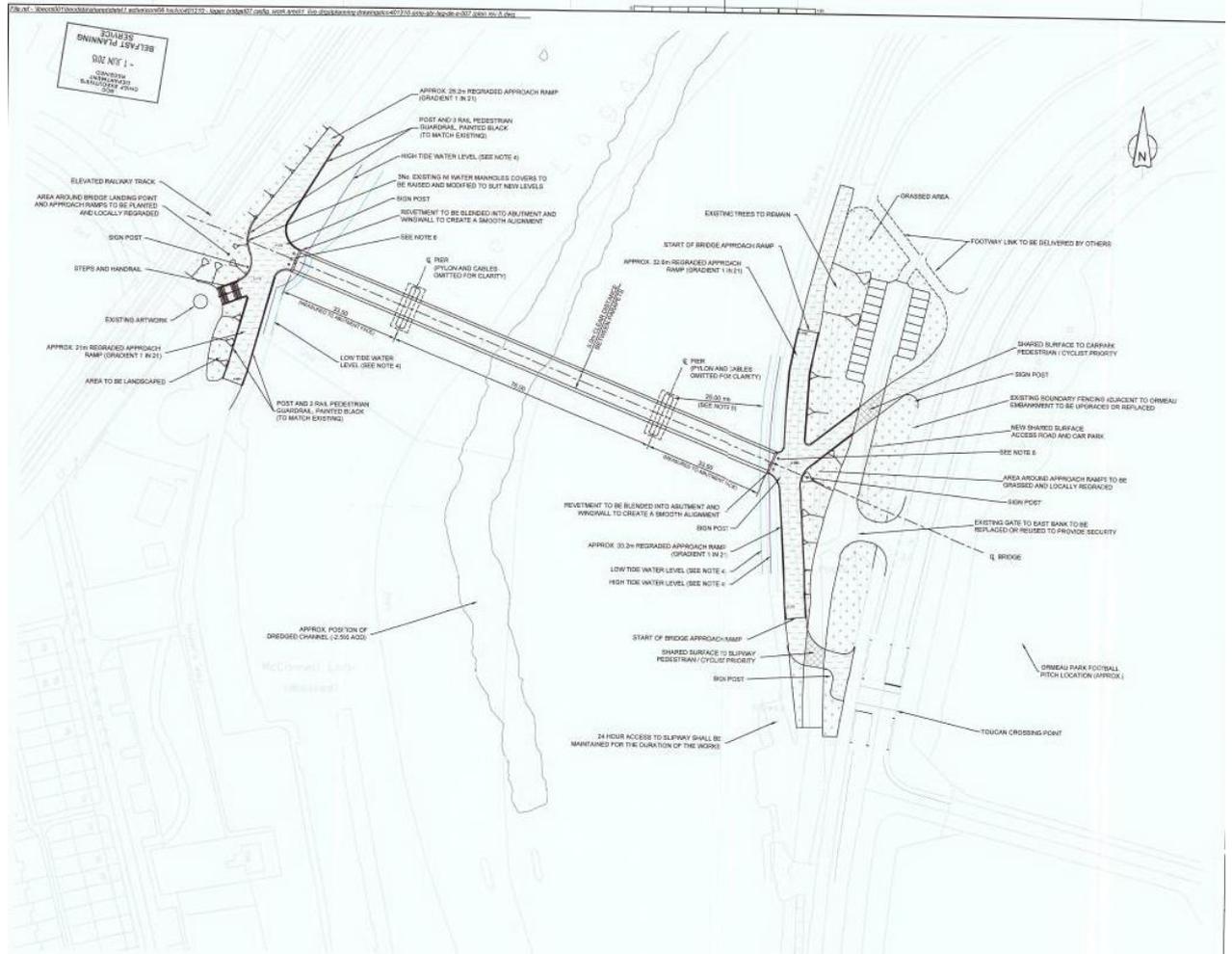
Approval is recommended subject to conditions.

Signature(s):

Date:

Case Officer Report

Site Location Plan





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





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

Consultations:

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

Representations:

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

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

6.1 The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.

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

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

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

Planning Policy Statement 3 : Roads Considerations

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

Planning Policy 8: Recreation and Open Space

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

Environmental Impacts

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

- Air Quality
- Cultural Heritage
- Landscape
- Nature Conservation
- Geology and Soils

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

6.8 The key mitigation measures identified:

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

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

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

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

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

Neighbour Notification Checked	Yes
<p>Conditions – Delegation of final conditions and wording to Director of Planning and Place requested:</p> <p>A detailed Method of Works Statement must be submitted by the appointed contractor(s), to Belfast City Council Planning for agreement at least 8 weeks prior to commencement of the works. This should include pollution prevention measures for the construction phase of the development.</p> <p>Reason: To ensure that the appointed contractor undertaking the work is well informed of all the risks associated with the proposal and is aware of the mitigation measures to be put in place during the construction phase. It will also ensure that the final Method of Works Statement has Council approval prior to any works commencing. Thus preventing any indirect adverse impacts on Belfast Lough SPA/Ramsar and Belfast Lough Open Water SPA/East Coast (NI) Marine pSPA conservation objectives/features.</p> <p>No part of the construction hereby approved shall be commenced until details of proposed construction and resurfacing, provision of and alterations to kerbing including tactile paving at crossing points, provision of and alterations to road drainage system including road gullies and manholes, relocation of and alterations to existing services, provision of and alterations to street lighting and other street furniture which are generally in accordance with Drawing No. CO401210-AME-SBR-LAG-DE-S-007 'General Arrangement Plan' dated by the Belfast City council Planning Office 1 June 2015 have been submitted to and approved by Transport NI. All works shall comply with the requirements of the Design Manual for Roads and Bridges and all other relevant standards and technical guidance and completed to the satisfaction of DRD Transport NI.</p> <p>REASON: In the interests of road safety and the convenience of road users.</p> <p>No part of the development hereby approved shall be commenced until details of proposed Toucan crossing point have been submitted to and approved by Transport NI.</p> <p>REASON: In the interests of road safety and the convenience of road users.</p> <p>No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.</p> <p>Reason: to ensure that archaeological remains within the application site are properly Identified, and protected or appropriately recorded.</p> <p>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.</p>	

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

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

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

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

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

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

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

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

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

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

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

Trees and vegetation to be retained within the site and proposed planting as indicated on drawing number 19 date stamped received 20th May 2015, shall not be cut down, uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of the Belfast City Council Local Planning Authority.

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

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

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

Signature(s)

Date:

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

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

Decision:

Decision Date: 14.02.2000

Ref ID: Z/1990/3011

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

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

Decision:

Decision Date:

Ref ID: Z/1998/1119

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

Address: FORMER MOUTH OF RIVER BLACKSTAFF MAYSFIELD BELFAST BT1

Decision:

Decision Date:

Ref ID: Z/1997/2601

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

Address: FORMER GASWORKS SITE, ORMEAU ROAD, BELFAST BT7

Decision:

Decision Date:

Ref ID: Z/1994/0352

Proposal: Retention of stone infill to create riverside walkway

Address: RIVER LAGAN RAVENHILL REACH ORMEAU EMBANKMENT BELFAST BT6

Decision:

Decision Date:

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: