

## Development Management Report

Summary	
<b>Application ID:</b> LA04/2023/3143/F and LA04/2023/3144/DCA	<b>Committee Date:</b> 14 <sup>th</sup> May 2024
<b>Proposal:</b> Part demolition of the existing school building and removal of 3 no. temporary classrooms on the Derryvolgie Ave campus and construction of a new single storey extension. Construction of a new single storey 8 class school building and off-road drop-off / collection lay-by on Windsor Ave campus including a new access onto Windsor Ave. Alterations to existing car parking, accesses and play areas and associated landscaping and site works.	<b>Location:</b> St Bride's Primary School Derryvolgie Avenue Malone Lower Belfast BT9 6FP
<b>Referral Route:</b> Application for Major development	
<b>Recommendation:</b> Approval subject to DFI Rivers Response	
<b>Applicant Name and Address:</b> St. Brides Primary School 32 Derryvolgie Avenue Belfast BT9 6FP	<b>Agent Name and Address:</b> Lee Hannigan Building 104 Ebrington Square Londonderry
<p><b>Executive Summary:</b></p> <p>This application relates to the existing St Brides Primary School Site. The current site is split across two sites, the larger site is situated between Derryvolgie Avenue and Windsor Avenue with access from both these roads. Full planning permission is sought for part demolition of the existing school building and removal of 3 no. temporary classrooms on the Derryvolgie Ave campus and construction of a new single storey extension. Construction of a new single storey 8 class school building and off-road drop-off / collection lay-by on Windsor Ave campus including a new access onto Windsor Ave. Alterations to existing car parking, accesses and play areas and associated landscaping and site works.</p> <p>The site is located within the Malone Conservation Area.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of the proposal</li> <li>• Design and impact on the Conservation Area</li> <li>• Impact on Listed Buildings</li> <li>• Impact on Amenity</li> <li>• Access and Transport</li> <li>• Climate change</li> <li>• Pre Application Community Consultation</li> </ul> <p>The proposal involves an extension of the existing Derryvolgie campus and a new build classroom situated on a tarmac area within the Windsor Avenue campus. The proposal is situated within the</p>	

existing school campus and makes good use of the existing land ensuring the proposed community infrastructure is within an appropriate and accessible location.

The design is appropriate to the location and given the existing building has no architectural merit and the new building will make use of vacant land the proposal will enhance the conservation area.

No objections have been received from consultees other than NI Water which is concerned about waste-water capacity. There is an outstanding response from Shared Environmental Services and no objections are expected following a positive response from NIEA. There is an outstanding DFI Rivers response following the submission of a missing appendix within the Drainage Assessment and a maintenance programme for the proposed drainage system.

No objections have been received.

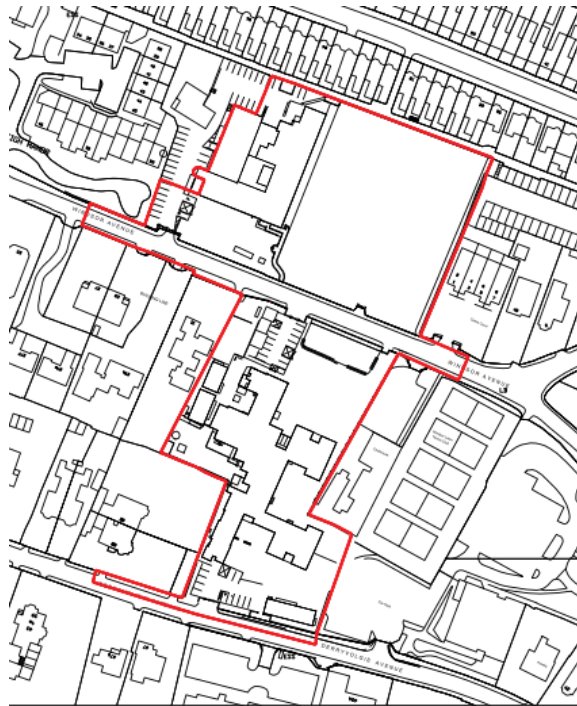
### **Recommendation**

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including those raised in the further consultation responses from Shared Environmental Services and DFI Rivers, provided that the issues are not substantive.

## DRAWINGS AND IMAGERY

### Site Location Plan:



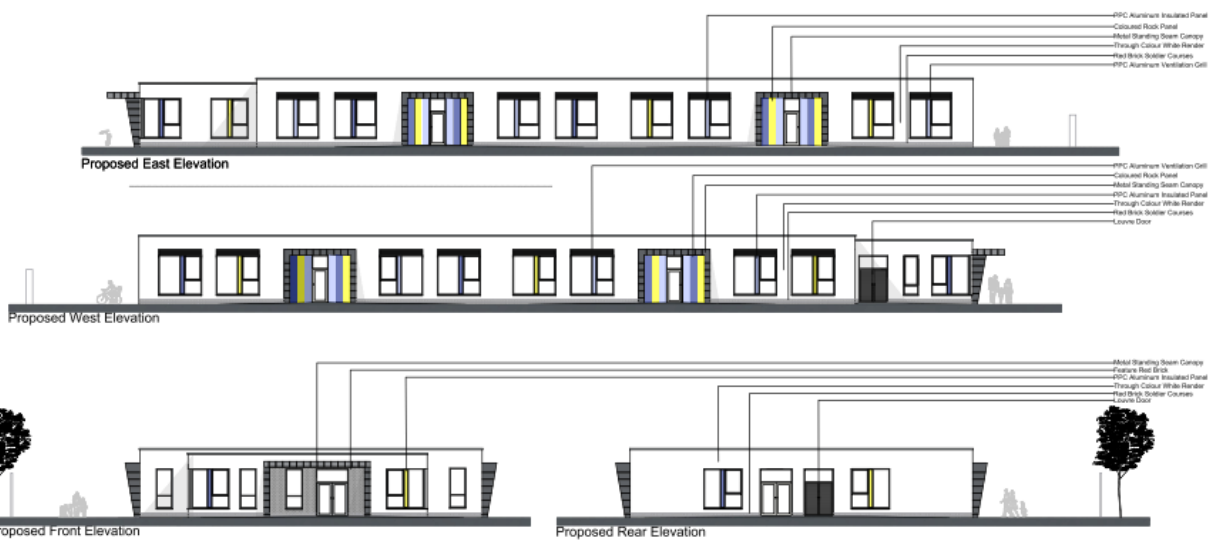
### Ground floor plan:



## Proposed Elevations (Extension):



## New Build:



<p><b>1.0</b></p> <p>1.1</p> <p>1.2</p> <p>1.4</p> <p>1.5</p>	<p><b>Characteristics of the Site and Area</b></p> <p>This application relates to the existing St Brides Primary School Site. The current site is split across two sites, the larger site is situated between Derryvolgie Avenue and Windsor Avenue with access from both these roads. To the east of this site is Windsor Tennis Club and to the west is a mix of dwellings and offices. A smaller site is located fronting Windsor Avenue, similarly surrounded by a mix of dwellings and offices. Both sites are comprised of one to two storey buildings with car parking and tarmac areas used as playgrounds.</p> <p>The site is located within the Malone Conservation Area.</p> <p><b>Description of Proposed Development</b></p> <p>The application seeks full planning permission for a single storey extension to the Derryvolgie Campus building and construction of a new single storey 8 class school building and off-road drop-off / collection lay-by on Windsor Ave campus including a new access onto Windsor Ave. An associated Demolition Consent Application has been submitted under the reference LA04/2023/3144/DCA for the part demolition of the existing building and removal of three temporary classrooms.</p> <p>The proposal involves the extension of the existing building on the Derryvolgie Campus while the new building would be situated on a tarmac playground area on the Windsor Avenue campus.</p>
<p><b>2.0</b></p> <p>2.1</p>	<p><b>RELEVANT PLANNING HISTORY</b></p> <p>Application Number: LA04/2020/1194/F  Site: Lands at St Brides Primary School  Decision: Permission Granted  Proposal: DDA improvements to include Building Block A: New external entrance ramp and door/screen to main entrance. Building Block B: New external entrance door/screen to main entrance, new external lift shaft at rear. Decision Date: 28 January 2021</p> <p>Application Number: LA04/2020/2224/DCA  Site: Lands at St Brides Primary School  Decision: Consent Granted  Proposal: DDA improvements to include Building Block A; Removal of existing external entrance steps and door/screen to main entrance, Building Block B: Removal of existing external entrance door/screen and windows. Decision Date: 28 January 2021</p> <p>Application Number: LA04/2021/2220/PAN  Site: Lands at St Brides Primary School  Decision: PAN Concluded  Proposal: Part demolition of the existing school building, refurbishment of 2 no. existing classrooms and extension to the existing school building to provide support ancillary accommodation and construction of a new single storey 8 classroom building with support ancillary accommodation, an external walkway canopy and alterations to the existing car parking and hard play areas. Decision Date: 29 October 2021</p> <p>Application Number: LA04/2022/1438/PAN  Site: Lands at St Brides Primary School  Decision Date: 09 August 2022</p>

	<p>Proposal: Part demolition of the existing school building, refurbishment of 2 no. existing classrooms and extension to the existing school building to provide support ancillary accommodation, construction of a new single storey 8 classroom building with support ancillary accommodation, construction of a new off-road drop-off/collection zone and alterations to the existing car parking and hard play areas. Decision: Proposal of Application Notice Acceptable subject to further consultation.</p>
<p><b>3.0</b></p> <p>3.1</p>	<p><b>PLANNING POLICY</b></p> <p><b>Development Plan – operational policies</b></p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery  Policy SP2 – sustainable development  Policy SP3 – improving health and wellbeing  Policy SP5 – positive placemaking  Policy SP6 – environmental resilience  Policy SP7 – connectivity</p> <p>Policy SD2 – Settlement Areas</p> <p>CI1- Community Infrastructure</p> <p>Policy DES1 – Principles of urban design  Policy DES2 – Masterplanning approach for major development  Policy BH1 – Listed Buildings  Policy BH2 – Conservation Areas</p> <p>Policy TRAN1 – Active travel – walking and cycling  Policy TRAN2 – Creating an accessible environment  Policy TRAN4 – Travel plan  Policy TRAN6 – Access to public roads  Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality  Policy ENV2 – Mitigating environmental change  Policy ENV3 – Adapting to environmental change  Policy ENV4 – Flood Risk  Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy HC1 – Promoting healthy communities  Policy TRE1 – Trees</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design  Masterplanning approach for Major developments  Sustainable Urban Drainage Systems  Transportation</p> <p><b>Development Plan – zoning, designations and proposals maps</b>  Belfast Urban Area Plan (2001) BUAP  Draft Belfast Metropolitan Area Plan 2015 (v2004)  Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>

	<p><b>Regional Planning Policy</b> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p><b>Other Material Considerations</b> <i>Belfast Agenda</i> (Community Plan)</p>
<b>4.0</b>	<b>CONSULTATIONS AND REPRESENTATIONS</b>
4.1	<p><u>Statutory Consultees</u></p> <p><b>DfI Roads</b> – no objection, recommends conditions.</p> <p><b>DfC HED</b> – no objection.</p> <p><b>DfI Rivers</b> – Awaiting updated response, application is not within a floodplain.</p> <p><b>DAERA</b> – no objection, recommends conditions.</p> <p><b>NI Water</b> – Objection on capacity grounds.</p>
4.2	<p><u>Non-Statutory Consultees</u></p> <p><b>Environmental Health</b> – no objection.</p> <p><b>BCC Tree Officer</b> – no objection, recommends conditions.</p> <p><b>BCC Conservation</b> – no objection</p> <p><b>Shared Environmental Services (SES)</b> – advises that it should be re-consulted once a substantive response is received from NIEA RU following their request for additional information. NIEA have responded with no concerns and SES have been re-consulted.</p> <p><b>BCC Parks and Recreation Team-</b> No objections</p>
4.3	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>No objections were received.</p>
<b>5.0</b>	<b>PLANNING ASSESSMENT</b>
5.1	<p><b>Main Issues</b></p> <p>The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> <li>• Principle of the proposal</li> <li>• Design and impact on the Conservation Area</li> <li>• Impact on Listed Buildings</li> <li>• Impact on Amenity</li> </ul>

- Access and Transport
- Climate change

**Development Plan Context**

5.2 Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.3 Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.

5.4 The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.

Operational Polices

5.5 The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed above.

Proposals Maps

5.6 Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.

5.7 **Belfast Urban Area Plan 2001** – the site is un-zoned “white land” within the Development Limit.

5.8 **Belfast Metropolitan Area Plan 2015 (2004)** – the site is within the Malone Conservation Area Sub Area C: Derryvolgie/Windsor within the Development Limit.

5.9 **Belfast Metropolitan Area Plan 2015 (v2014)** – the site is within the Malone Conservation Area Sub Area C: Derryvolgie/Windsor within the Development Limit.

Principle of the proposal

5.10 Policy CI states that the Council will seek to protect and provide development opportunities for community, health leisure, nurseries and educational facilities based on local need in line with the projected population growth over the plan period.



5.11	Planning Permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of any proposals.
5.12	The proposal involves an extension of the existing Derryvolgie campus and a new build classroom situated on a tarmac area within the Windsor Avenue campus. The proposal is situated within the existing school campus and makes good use of the existing land ensuring the proposed community infrastructure is within an appropriate and accessible location.
<b><u>Design and Impact on the Conservation Area</u></b>	
5.13	<p>With regards to development in Conservation Areas, Section 104(11) of the Planning Act (Northern Ireland) 2011 states that special regard must be had to the desirability of;</p> <ul style="list-style-type: none"> <li>(a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise;</li> <li>(b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise</li> </ul>
5.14	<p>In relation to the application for full planning permission, paragraph 6.18 of the SPPS states that: <i>'In managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. Accordingly, there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings, where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest. In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained.'</i></p>
5.15	Policy BH2 of the Plan Strategy contains 5 criteria that apply to new buildings and 4 additional criteria that apply to extensions within Conservation Areas.
5.16	<p>The new building within the Windsor Avenue campus is a simple form single storey building with a flat roof. The building is to be clad in white render with design details such as feature red brick and coloured rock panels. It is deemed that the design of the building would preserve the character of the area. The development would respect the built form of the area by way of height, scale, form, legibility, materials and detailing, The height of the building and use of flat roof is in conformity with the Derryvolgie campus to the south and the modern design reflects that of the immediate context which is not historical in nature. While the immediate context uses in the main red brick it is noted that historical dwellings to the east make use of white render and therefore the proposed materials will not appear out of place. Key views into the conservation area will be enhanced, the existing site is a tarmac area with views through the site to the rear of properties along Malone Avenue. The proposal will infill an existing gap site and prevent views of these properties which would not have been intended to be viewable from the public realm. There are a number of street trees on Windsor Avenue and Derryvolgie Avenue which contribute to the character and appearance of the area. One tree is to be felled which is in poor condition and compensatory measures are proposed. The Tree Officer was consulted and had no objections.</p>

5.17	The proposal accords with the Malone Conservation Area Design Guide in terms of context, design, building lines, massing, height, bulk, proportions, form and elevation treatment.
5.18	The extension is single storey and located on the east and south elevations with a small entrance lobby proposed to the north elevation. The extension is subservient to the existing school building on site and preserves the character of and appearance of the area by way of the proposed height, scale and massing. The proposal will not result in the loss detrimental loss of visual gaps between existing buildings and boundaries nor will it negatively impacts views in and out of the conservation area. Given the existing school building is not historic in nature there are no opportunities to reinstate traditional features or make use of traditional materials. The materials proposed are white render which are in keeping with the proposed new build and the existing school.
5.19	The proposed extension accords with the Malone Conservation Area Design Guide in that the addition is considered to blend harmoniously and unobtrusively with the host building.
5.20	Conservation Advice was sought and states that the extension works are of acceptable mass and form in the context of the host building. In terms of the Windsor Avenue campus advice stated that the test to enhance could have been met by using a model of two blocks of two to three storeys of similar massing to the Victorian villa blocks, however it is acknowledged the school has existed in this location historically and therefore there is no precedent for frontage/enclosure of this section of the thoroughfare with buildings.
	<p><b><u>Proposed Demolition</u></b></p>
5.21	A Demolition Consent Application has been submitted under the reference LA04/2023/3144/DCA for part demolition of the existing school building and 3 no. temporary classrooms.
5.22	The existing building makes no material contribution to the character and appearance of the area and the proposed extension is of a modern design which is considered to enhance the existing site and overall character of the conservation area.
5.23	Conservation advice had no objections to the proposed demolition.
	<p><b><u>Impact on Listed Buildings</u></b></p>
5.24	Section 91 (2) of the Planning Act (Northern Ireland) 2011 states that ‘the Department must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’
5.25	Paragraph 6.12 of the SPPS states Listed Buildings of special architectural or historic interest are key elements of our built heritage and are often important for their intrinsic value and for their contribution to the character and quality of settlements and the countryside. It is important therefore that development proposals impacting upon such buildings and their settings are assessed, paying due regard to these considerations, as well as the rarity of the type of structure and any features of special architectural or historic interest which it possesses.

5.26	<p>There are two listed buildings that share a boundary with the Derryvolgie campus to the west at 28 Derryvolgie Avenue (HB26/28/142A) and 30 Derryvolgie Avenue (HB/26/28/142B).</p>
5.27	<p>Given the single storey nature of the proposed extension it is considered to be sympathetic to the listed buildings by way of scale and form and will not impact key views of the listed buildings. HED were consulted and had no objections.</p>
	<p><b><u>Impact on amenity</u></b></p>
5.28	<p>Policy CI states that proposals for community infrastructure shall ensure there is no unacceptable impact on residential amenity. The new build classroom within the Windsor Avenue campus is the only part of the proposal within close proximity to residential properties. The site faces the rear returns of properties along Malone Avenue but given the single storey nature of the proposal it is not deemed to have an unacceptable impact on residential amenity.</p>
	<p><b><u>Access and Transport</u></b></p>
5.29	<p>The proposal amends the existing access arrangements. There are currently two existing access points into the Windsor Avenue campus, the proposal will utilise both access points to provide a one way system including a drop off area. The Derryvolgie campus includes alterations to the existing car park to increase parking provision to 25 spaces.</p>
5.30	<p>DFI Roads were consulted and had no objections subject to conditions.</p>
	<p><b><u>Climate Change</u></b></p>
5.31	<p>The proposal maximises opportunities to incorporate sustainable design features where feasible. The proposal minimises demolition by using the existing school building and extending. The proposed building to be energy efficient and minimise overheating while SuDs measures have been included such as soft landscaping and tree planting. A Climate Change Statement has been submitted which details measures that can be undertaken given budget constraints and health and safety risks. The proposal is deemed to comply with policies ENV 2,3 and 5.</p>
	<p><b><u>Pre-Application Community Consultation</u></b></p>
5.32	<p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p>
5.33	<p>Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in July 2022 (LA04/2022/1438/PAN) and confirmed by the Council to be acceptable.</p>
5.34	<p>The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted with the application, which describes the engagement process and feedback received. A public event was held and dedicated community consultation website setup. A total of sixteen feedback forms were completed. Feedback was positive in terms of the proposal with issues raised in terms of traffic flow.</p>
	<p>The PACC report is considered compliant with the legislative requirements.</p>

<p><b>6.0</b></p> <p>6.1</p> <p>6.2</p>	<p><b>Recommendation</b></p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including those raised in the further consultation responses from Shared Environmental Services and DFI Rivers, provided that the issues are not substantive.</p>
<p><b>7.0</b></p>	<p><b>DRAFT CONDITIONS</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</li> <li>2. No development shall be operational until hard surfaced parking areas have been provided and permanently marked in accordance with the approved plan. These facilities shall be permanently retained.  Reason: To ensure acceptable parking facilities on the site.</li> <li>3. Pedestrian crossing points including tactile paving shall be provided at all road junctions.  Reason: In the interests of pedestrian safety.</li> <li>4. The vehicular accesses, including visibility splays and any forward sight distance, shall be provided in accordance with the approved drawings prior to the operation 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.</li> <li>5. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related works shall cease immediately, and the Council shall be notified immediately in writing. No further development shall proceed until this new contamination has been fully investigated in accordance with current industry recognised best practice. In the event of unacceptable human health risks being identified, a Remediation Strategy and subsequent Verification Report shall be submitted to and agreed in writing by the Council, prior to the development being occupied or operated. The Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.  Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.</li> </ol>

6. All existing trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any trees or planting indicated on the approved drawings which, within a period of five years from the date of planting, die, are removed, or become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.

Reason: In the interests of visual amenity.

7. All soft landscaping works shall be carried out in accordance with the approved details on Planting Plans, Drawing Numbers 15A and 16A, uploaded to the planning portal in 28<sup>th</sup> March 2024. The works shall be carried out prior to the completion of the proposal unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.

Reason: In the interests of the character and appearance of the area.

8. The works hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan. The measures set out in the Tree Protection Plan shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity.

9. Any excavation within Tree Protection Areas shall be carried out using non mechanised hand tools only. All roots that are uncovered during excavation and which are in excess of 2.5cm in diameter shall be protected and treated in accordance with BS 3998: 2010 Recommendations for Tree Work and foundations bridged around them.

Reason: To safeguard existing tree(s) in the interests of visual amenity.

10. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site during the construction period.

Reason: To avoid compaction within the RPA of existing trees to be retained.