Committee

Development Management Report

Summary	
Application ID: LA04/2023/3649/F	Committee Date: 15 th October 2024
Proposal: New 2 storey regional radiopharmaceutical facility, with associated single storey ancillary services accommodation, bin store, and emergency generator and oil tank storage. Amendment to existing car parking layout.	Location: Royal Victoria Hospital 274 Grosvenor Road, Belfast, BT12 6BA
Referral Route: Application for Major development	
Recommendation: Approval	
Applicant Name and Address: James Wright Belfast Health and Social Care Trust (BHSCT) Royal Victoria Hospital	Agent Name and Address: Martin Delaney TODD Architects Titanic House Belfast BT3 9DT
Date Valid: 08 August 2023	
Target Date: 05 March 2024	
Contact Officer: Ciara Reville, Principal Planning Officer.	

Executive Summary:

This application site is located to the south east of the Royal Victoria Hospital Complex and is currently used as a car park.

The application seeks full planning permission for a two storey regional radiopharmaceutical facility of approximately 10m in height. The proposal includes a single storey ancillary services accommodation building and alterations to the existing car park to serve the proposed building.

The existing radiopharmaceutical facility is located within the Ferguson building to the south west of the site and is no longer fit for purpose given the updates in guidelines for the production of radiopharmaceuticals.

The key issues for consideration of the application are set out below.

- Principle of the proposal
- Flood Risk
- Design, Massing and Scale
- Impact on the Listed Building
- Impact on Amenity
- Environmental Protection
- Climate change
- Pre Application Community Consultation

The proposal is situated in an existing car park within the Royal Victoria Hospital Complex. The proposal is to provide improved community infrastructure and is an appropriate and accessible location is accordance with policy CI1. The proposal will not have an impact in residential amenity.

The proposed site is within a Flood Plain, the proposal has been deemed an exception given it is replacing a demolished building and is of regional economic importance. A Flood Risk Assessment has been submitted and DFI Rivers had no objections.

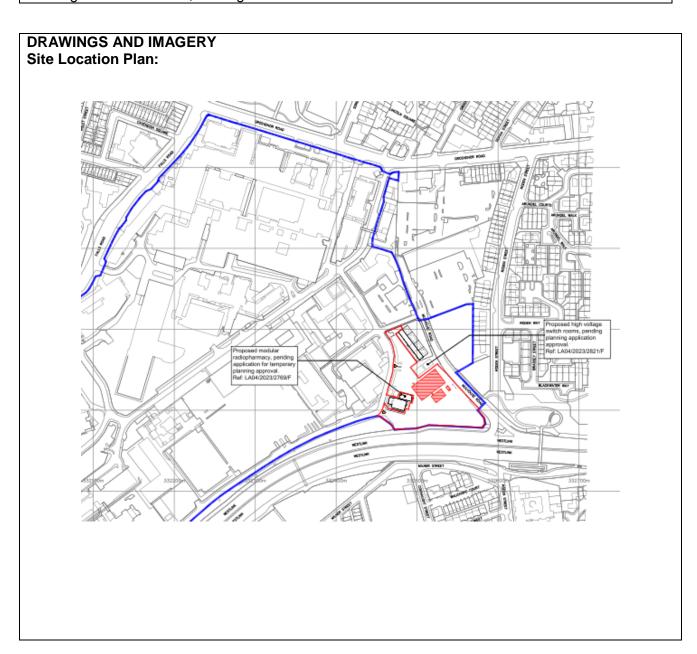
The proposed building is considered to integrate within the existing buildings on site and will not impact the setting of the listed Mullhouse Building. The proposed building is of a high quality design and the materials are considered acceptable.

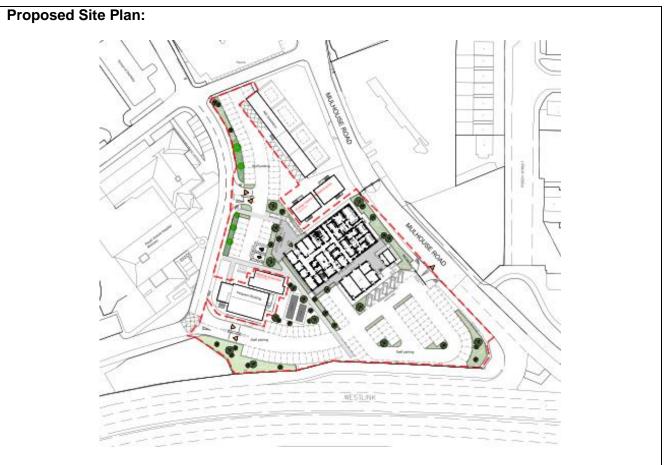
There are no objections from consultees or third parties.

Recommendation

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

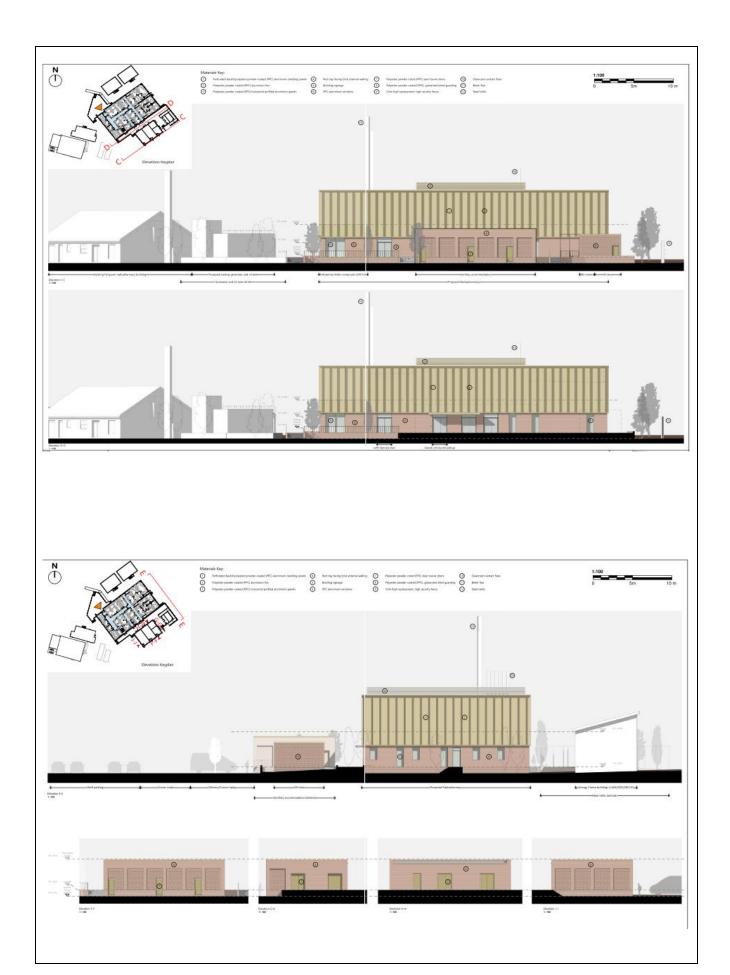
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions, so long as it is not substantive.

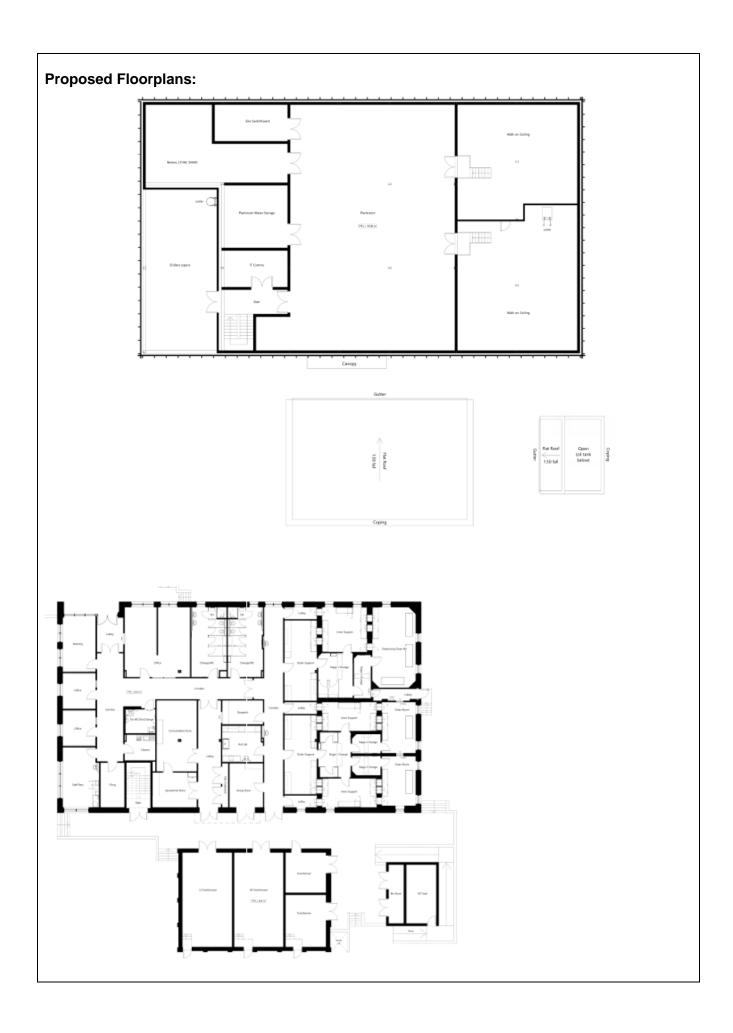




Proposed Elevations:







1.0 Characteristics of the Site and Area

This application site is located to the south east of the Royal Victoria Hospital Complex and is currently used as a car park. The site can be accessed from Mulhouse Road which connects the site to the Westlink or from the main spine road running through the site. The surrounding area is a mix of hospital car parks and buildings which are typically 2-4 storeys and vary is design. The Mulhouse building which is listed sits to the north of the proposed site. The nearest residential properties are along Roden Street approximately 60m from the site.

1.2 **Description of Proposed Development**

The application seeks full planning permission for a two storey regional radiopharmaceutical facility of approximately 10m in height. The proposal includes a single storey ancillary services accommodation building and alterations to the existing car park to serve the proposed building.

2.0 RELEVANT PLANNING HISTORY

There is an extensive planning history within the Royal Victoria Hospital Complex, the planning history below is limited to the immediate context of the site.

Application Number: LA04/2023/2769/F

Proposal: Temporary planning permission for proposed Radiopharmacy cleanroom

extension

Decision: Approved 20th February 2024

Application Number: LA04/2023/2821/F

Proposal: 2 No new single storey substation buildings (90 sqm each) including

alterations to staff car park

Decision: Approved 27th September 2023

Application Number: LA04/2023/2897/PAN

Proposal: Construction of a new 2 storey regional Radiopharmaceutical facility for Northern Ireland to replace the existing Ferguson Radiopharmacy building, with adjacent single storey switchroom accommodation and external service yard for

deliveries and collections.

Decision: Proposal of Application Notice is Acceptable 5th April 2023

3.0 PLANNING POLICY

3.1 Development Plan – operational policies

Belfast Local Development Plan, Plan Strategy 2035

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

Policy SD2 – Settlement Areas

CI1- Community Infrastructure

Policy DES1 – Principles of urban design

Policy DES2 – Masterplanning approach for major development

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

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)

Policy HC1 – Promoting healthy communities

Policy GB1 – Green and blue infrastructure network

Policy TRE1 – Trees

Policy NH1 – Protection of natural heritage resources

Supplementary Planning Guidance

Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems

Transportation

Development Plan – zoning, designations and proposals maps

Belfast Urban Area Plan (2001) BUAP

Draft Belfast Metropolitan Area Plan 2015 (v2004)

Draft Belfast Metropolitan Area Plan 2015 (v2014)

Regional Planning Policy

Regional Development Strategy 2035 (RDS)

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Other Material Considerations

Belfast Agenda (Community Plan)

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 <u>Statutory Consultees</u>

Dfl Roads – no objection, recommends conditions.

NI Water - no objection

Dfl Rivers- no objection

Historic Environment Division- no objection

4.2 <u>Non-Statutory Consultees</u>

Environmental Health- no objection, recommends conditions.

Representations

The application has been advertised in the newspaper and neighbours notified.

No objections were received.

5.0 PLANNING ASSESSMENT

Main Issues

- 5.1 The main issues relevant to consideration of the application are set out below.
 - Principle of the proposal
 - EIA Development
 - Flood Risk
 - Design, Massing and Scale
 - Impact on the Listed Building
 - Impact on Amenity
 - Environmental Protection
 - Climate change
 - Pre Application Community Consultation

Development Plan Context

- 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.
- 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

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

Proposals Maps

- 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 un-zoned "white land" within the Development Limit.
- 5.9 **Belfast Metropolitan Area Plan 2015 (v2014)** the site is un-zoned "white land" within the Development Limit.

Principle of the Proposal

- 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.
- 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.
- The proposal is to provide a new Regional Radiopharmacy building to replace the existing services provided in the existing Ferguson Building located towards the west side of the Hospital site. The proposed building is to provide improved community infrastructure to enable the continuing provision of radiopharmaceutical provision to patients in Northern Ireland. It is located within the existing Hospital site and therefore is within an appropriate and accessible location. The principle of the development is considered acceptable.

Flood Risk

- The proposed site is within the 1 in 100 year climate change fluvial floodplain.

 Paragraph 6.107 of the SPPS states that built development must not be permitted within the flood plains of rivers or the sea unless one of the following three circumstances apply:
 - the development proposal constitutes a valid exception to the general presumption against development in flood plains (exceptions for defended and undefended areas of the flood plain are set out at Figure 1);
 - the development proposal is of overriding regional or sub-regional economic importance; and
 - the development proposal is considered as minor development in the context of flood risk.

Given the scale of the proposal it would not be considered minor development in the context of flood risk.

Figure 1 of the SPPS sets out the exceptions to the general presumption against development in flood plains, one of which is the replacement of an existing building. The

site previously contained a single storey building of approximately 350sqm which was demolished in 2019. While it is acknowledged that the building is no longer existing, the proposed building is considered a replacement on a brownfield site and therefore constitutes a valid exception.

- The Planning and Flood Risk SPG states in paragraph 4.2.19 that the replacement of an existing building may be considered on the basis that this would not normally result in any material increase in the flood risk to the development or elsewhere. Paragraph 4.2.22 states that a replacement proposal which involves significant intensification of use, for example through increasing the footprint or change of use, will be resisted if this would have the effect of introducing more people to a high flood risk area.
- In terms of the increased flood risk to the development and area, a Flood Risk Assessment has been submitted and includes a freeboard of 600mm to the Q100+CC fluvial flood level to ensure no increased flood risk to the development. While it is acknowledged that the proposal involves a significant increase in footprint when compared to the previous building on site it will not result in introducing more people to a high flood risk area given the reduction in parking provision associated with the development.
- 5.17 The development can also be considered of overriding regional or sub-regional economic importance. Paragraph 4.3 of the Planning and Flood Risk SPG provides two criteria that must be met to be deemed to be of overriding regional or sub regional economic importance:
 - Demonstration of exceptional benefit to the regional or sub-regional economy;
 - Demonstration that the proposal requires a location within the flood plain and justification of why possible alternative sites outside the flood plain are unsuitable.
- In term of the exceptional benefit to the regional economy, the proposal is a regionally important medical facility. The radiopharmaceuticals produced within the facility are used in nuclear medicine diagnostic investigations and in the treatment of cancer patients. The facility produces and dispenses approximately 15,000 radiopharmaceutical doses per year to the Belfast, Southern, Southeastern and Northern Health and Social Care Trust. The current facility within Ferguson House is no longer fit for purpose due to limitations in the building's size and internal structure layout. The manner in which the facility supplies the needs of three trusts within Northern Ireland demonstrates the regional importance of the facility.
- The submitted Flood Risk Assessment has considered why the proposal requires a location within the flood plan and justification as to why possible sites outside the flood plain are unsuitable. The northern half of the site is heavily developed with no brownfield sites available for development. The majority of the southern half of the site is located within the flood plain. The FRA has considered three further sites for the development which are currently car parks and outside the flood plain. One is a multi storey car park and therefore unsuitable for development. The other two are staff car parks located towards the eastern boundary of the site. Both of the car parks have been deemed to be of an unsuitable size to provide the necessary radio pharmacy building, its HV/LV substation building and compounds/service yard.
- Given the need for the proposal to be located within the Royal Victoria Hospital Complex there are limited sites available that are not within the flood plan. It is accepted

that the proposal requires a location within the flood plain and alternative sites are unsuitable.

The proposal has been deemed to meet the exceptions test in that it replaces an existing building and is of overriding regional or sub-regional importance. DFI Rivers have been consulted on this basis and accept the logic of the Flood Risk Assessment and has no reason to disagree with its conclusions.

Design, Massing and Scale

The proposed building is to be two storey of a simple rectangular form with a flat roof. The proposed massing and scale is appropriate for its use and the surrounding area. The materials are to be red brick at ground floor and powder coated aluminium panels at first floor. The surrounding Hospital site contains a wide range of differing architectural styles and materials. The proposed building will tie in with the adjacent mortuary building which contains red brick and buff brick banding. The design is considered acceptable within its context and complies with Policy DES1.

Impact on the Listed Building

- 5.23 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.'
- 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.
- The proposed site is within close proximity of the Mulhouse Building (HB26/32/002, Grade B1) which is a three storey plus attic former brick linen warehouse of 1880 in High Victorian style. HED were consulted and stated that the setting of the listed building is compromised to some extent by development and parking within the Royal Victoria Hospital complex. The proposal therefore proposes no greater demonstrable harm on the character and appearance of the immediate setting. The materials are considered appropriate. The proposal complies with Policy BH1.

Impact on amenity

Policy CI states that proposals for community infrastructure shall ensure there is no unacceptable impact on residential amenity. The proposed site is sufficiently separated from dwellings on Roden Street to ensure there will be no impact on residential amenity. Environmental Health were consulted in terms of noise and had no objections.

Access and Transport

The proposed site is to be accessed from the western road and exited to Mulhouse Road to the east utilising a one way system. The proposal involves reconfiguring access points from the western road and the existing staff car park. The result is a reduction in car parking spaces from 266 to 119, although approximately 29 are due to other planning applications (LA04/2023/2769/F and LA04/2023/2821/F). DFI Roads were consulted in terms of the proposed layout and had no objections with conditions.

Environmental protection

Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and odour impacts.

Contaminated land

The applicant has submitted a Preliminary Contamination Risk Assessment and a Generic Quantitative Contamination Risk Assessment. The reports have identified potential risks to human health from ground gases, through ground gas monitoring at site investigation locations. Environmental Health were consulted and require confirmation of which ground gas protection measures are to be installed in the proposed buildings and detail on how their installation will be verified. A condition requiring a detailed Remediation Strategy has been recommended.

Air Quality and Noise

Environmental Health were consulted and did not request any further information in regards to air quality and noise.

Climate Change

5.30

A Climate Change Statement in relation to policies ENV 2,3 and 5 has been submitted. Given the nature of the proposed use design features to adapt to environmental changes are limited, however design features such as PV panels and the objective to attain BREEAM excellent are welcomed. While opportunities to provide SUDS measures are limited the proposal does include additional planting in accordance with ENV 5.The proposed additional planting represents a net gain in accordance with TRE1 of the LDP A condition has been added to ensure the integration of the landscape and that Suds systems are used where possible to ensure compliance with the LDP PS.

Pre-Application Community Consultation

- For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.
- 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 precommunity consultation. A PAN was submitted in March 2023 (LA04/2023/2284/PAN) and confirmed by the Council to be acceptable.
- 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 queries detailed were in regards to potential impacts on nearby residents and Roden Street.
- 5.35 The PACC report is considered compliant with the legislative requirements.

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

Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions.

7.0 DRAFT CONDITIONS

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.

 The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development.

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

3. The vehicular accesses, including visibility splays, shall be provided in accordance with the approved plan, prior to the commencement of any other works or other development hereby permitted.

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

4. No development shall commence on site (other than site clearance, enabling works or works to fulfil this condition) unless a Detailed Remediation Strategy has been submitted to and approved in writing by the Council. The Detailed Remediation Strategy shall consider the Pentland Macdonald report entitled 'Generic Quantitative Contamination Risk Assessment and Remediation Strategy, Regional Radio Pharmacy Facility, Royal Group of Hospitals, Belfast, for Doran Consulting' (dated February 2023 and referenced PM22-1074). The Detailed Remediation Strategy shall follow current Environment Agency and CIRIA guidance and British Standards and must provide final detail on how the identified ground gas contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remediation works are to be verified.

The development shall not be carried out unless in accordance with the approved Detailed Remediation Strategy.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

5. Prior to operation of the development, a Verification Report shall be submitted to and approved in writing by the Council. The Verification Report shall be completed by competent persons and be in accordance with current Environment Agency and CIRIA guidance and British Standards. It must demonstrate that the mitigation measures outlined in the agreed Detailed

Remediation Strategy have been implemented, that they have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

6. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a 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 and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

7. Notwithstanding the submitted details, no development (other than site clearance, site preparation, demolition and the formation of foundations and trenches) shall commence on site unless a hard and soft landscaping scheme has been submitted to and approved in writing by the Council. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and soft landscaping works be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans 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. All hard and soft landscape areas and works shall be permanently retained in accordance with the approved details.

Reason: In the interests of the character and appearance of the area, and to promote sustainable drainage. Approval is required upfront because the landscaping is critical to the acceptability of the proposal.

7. The recommendation/s and mitigation measures outlined in the Flood Risk Assessment date stamped as received on 21st June 2023 and uploaded to the

Planning Portal on 4th **September 2004** shall be fully implemented prior to the occupation of any part / phase of the development hereby permitted. No part of the mitigation measures shall be removed or altered without the prior written consent of the Council.

Reason: In the interests of public safety and to mitigate against the environmental effects of climate change.

Informatives

01 Compliance with planning permission

Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

02 Discharge of condition(s)

This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

03 Non-planning requirements

The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX	
Date Valid	08 August 2023
Date First Advertised	19 August 2023
Date Last Advertised	19 August 2023
Date of Last Neighbour Notification	22 nd August 2023
Date of EIA Determination; if required	5 th September 2023
ES Requested	No
Drawing Numbers and Title: 01, 04, 06, 07, 08,09, 10, 11, 12, 13, 14 and 15	