

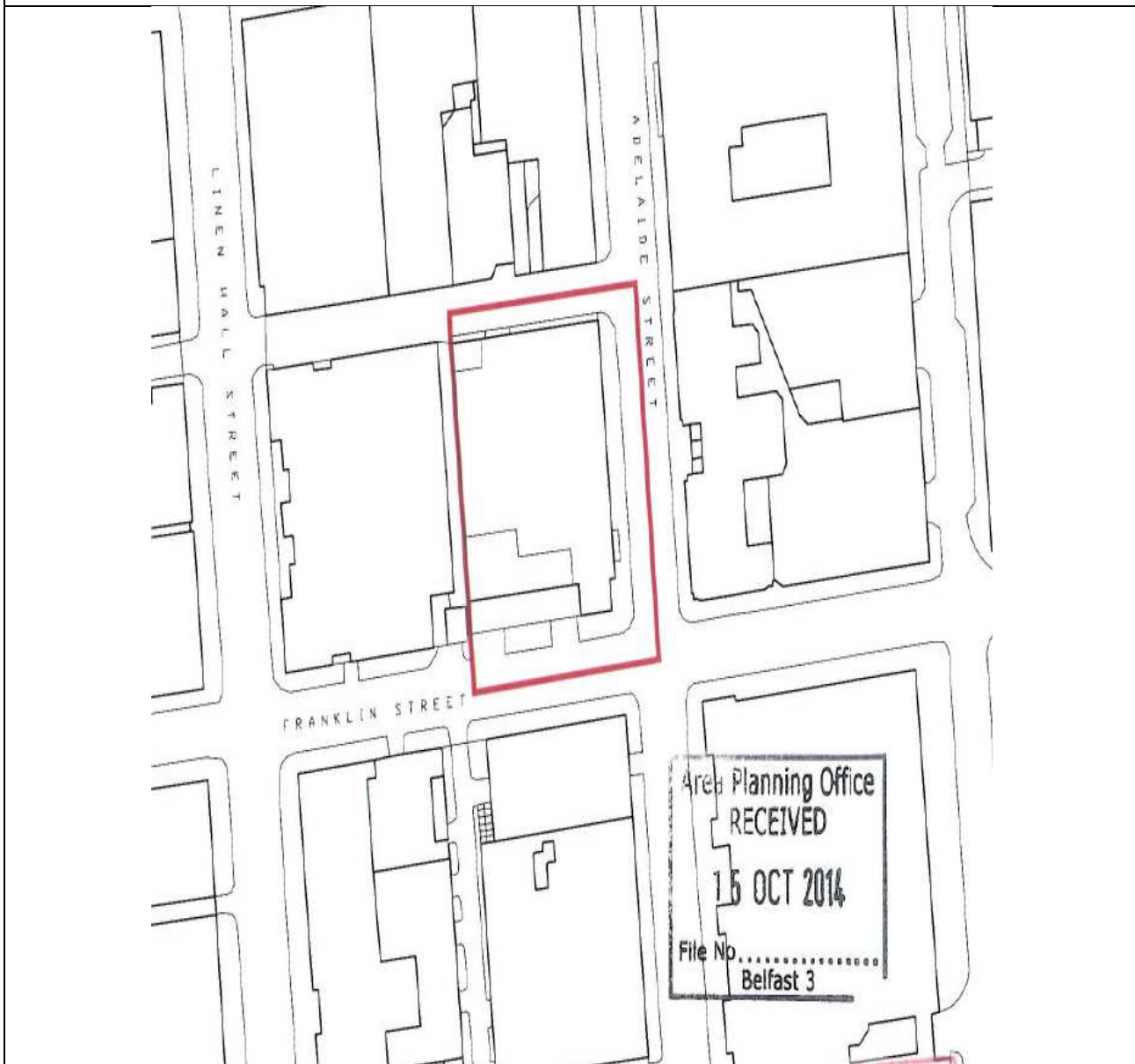


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19 May 2015	Item Number:
Application ID: Z/2014/1398/F	Target Date:
Proposal: Demolition of existing building and erection of a 9 storey office development	Location: 9-21 Adelaide Street Belfast BT2 8DJ
Referral Route: Office Development greater than 200sq metres	
Recommendation:	Approval
Applicant Name and Address: McAlear & Rushe Group 17-19 Dungannon Road Cookstown BT80 8TL	Agent Name and Address: TODD Architects 2nd Floor 6 Queens Road Belfast BT3 9DT
Executive Summary: The application seeks full planning permission for demolition of existing building and erection of a new 9 storey office development. The main issues to be considered in this case are: <ul style="list-style-type: none">• The principle of demolition in a conservation area and the acceptability of the proposed replacement scheme;• The principle of office development at this location; This proposal complies with the aims of the Belfast Metropolitan Area Plan and will provide a significant level of office space on the site of a currently derelict building within the city centre. The site is identified as being within the Linenhall Street Conservation Area. An application for Demolition Consent (Z/2014/1389/DCA) was approved on 31 st March 2015. The proposal was assessed against planning policies BH12 and BH14 of PPS6 and complies with these policies. There is a history of similar planning approvals on the site. Consultees offered no objections subject to conditions relating to contamination investigation and appropriate mitigation. It is recommended that the application is approved with conditions.	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Land and Resource Management	Substantive Response Received
Non Statutory	NI Transport - Hydebank	Additional info requested
Non Statutory	Env Health Belfast City Council	Approval subject to conditions
Non Statutory	NI Water - Strategic Applications	No objection
Non Statutory	Rivers Agency	Add Info Requested

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
<p>Characteristics of the Site and Area</p> <p>The site is located between Franklin Street and Donegall Square Mews and fronts onto Adelaide Street. A 9 storey flat roof building with a 10 storey corner feature at the junction of Adelaide Street and Franklin Street and two smaller plant storeys on the roof. The building is an office block faced in framed curtain walling with horizontal bands of spandrel panels.</p> <p>Site located within Linenhall Conservation Area. High rise area consisting of a mix of commercial/ office uses.</p>	
<p>Planning Assessment of Policy and Other Material Considerations</p> <p>Regional Development Strategy Belfast Metropolitan Area Plan 2015 Planning Policy Statement 1 - General Principles Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage</p> <p>Belfast Metropolitan Area Plan The site is located within the city centre, the commercial district and Linenhall Conservation Area as designated in the Belfast Area Plan.</p> <p>There are a number of design criteria in BMAP which applies to the site, located within the Commercial District Character Area.</p> <p>The proposal is of a similar height to the existing structure on the site and will not represent a significant increase in overall floor area.</p> <p>The scale and massing is discussed in detail under PPS6 below. The shoulder height was reduced further to concerns raised by the conservation officer, although not as low as shoulder heights of adjacent buildings in light of the previous approval on the site (Z/2008/0372/F) I feel that the reduction will ensure the proposal is not unduly prominent in the streetscape.</p> <p>As the proposal is for office space the BMA Office Strategy of BMAP and Policy OF1 apply. The strategy and policy seek to promote the role of Belfast City Centre as the primary location for office development in Northern Ireland in order to reinforce the role of Belfast as a Regional City. This proposal therefore sits comfortably with the aims of the Area Plan and will provide a significant level of office space on the site of a currently derelict building within the city centre.</p> <p>CONTAMINATED LAND</p> <p>The Preliminary Risk Assessment identified several potential contaminated sites that may cause potential risk to human health however site investigations and subsequent Quantitative Risk Assessment determined that the risk posed to human health by ground</p>	

gas is very low risk.

The report concluded 'that there are no unacceptable risks at the site and no further consideration of contaminated land is deemed necessary'.

On the basis of the information submitted and in the event that planning permission is to be granted Environmental Services Department of BCC have requested that a condition is attached to ensure that any previously unidentified contamination is appropriately dealt with if uncovered during the course of development.

NIEA Waste Management Unit have accepted the conclusions of the Quantitative Risk Assessments that unacceptable risks to the water environment were identified. However, Waste Management (WM) (Land and Groundwater Team) note that a large portion of the application site has not been subject to investigation and quantitative risk assessment to date, thereby adding uncertainty to the outcome of the presented risk assessment.

Waste Management Unit have subsequently advised that a number of conditions are attached to any Planning Decision Notice to ensure the identification and appropriate management of all unacceptable risk to the water environment.

ACCESS, MOVEMENT AND PARKING

Amended plans and a Travel Plan, have been submitted on 28th April 2015 to address Transport NI issues. No fundamental objections have been raised in relation to the principle of the development

BUILT HERITAGE/ CONSERVATION AREA

Policy BH 12 New Development in a Conservation Area

The proposed building is certainly in keeping with the design and finishes of the building to be replaced. The height of the proposal is somewhat higher with the new building having a shoulder height of approximately 30.2m and an overall height of 33.6m, with the shoulder heights of adjacent buildings on Adelaide Street 3.5m lower on the Franklin Street side and 4.5m lower on the Donegall Square Mews side.

Having said this an important material consideration in assessing the proposal is the planning history on the site. A 10 storey building was approved under planning application Z/2008/0372/F. The approved building has a shoulder height of 35.5m and an overall height of 37m. Given this lower height, namely to the shoulder, which I would argue has more of a bearing on how the building affects the existing streetscape, I feel that the proposal represents a significant improvement over the approved scheme.

Given the removal of the uppermost floor and the reduction in shoulder height to address concerns from the conservation area officer, the building will at the very least preserve the character of the area and will represent an enhancement when considered against the latest approval on the site. The condition and quality of design of the existing building should also be considered. I would argue that the proposal would represent an overall improvement in the quality and design in on what is an important junction within the Linenhall Conservation Area and thus should enhance the appearance of the area.

The scale and massing of the proposed scheme are similar to the existing building on the site and therefore in keeping with the character of the area. The proposed natural

white stone finish is similar to that of the Cecil Ward building to the immediate west of the site (a sample has been provided) with the vertical emphasis on the design reflecting that of adjacent buildings and in my opinion is more sympathetic to the character of the area than the design of the existing structure, and thus will represent an enhancement in terms of visual amenity.

Given the similarities to the existing building in terms of scale, massing and design there will be no adverse impact on views within the conservation area.

BH14 Policy BH 14 Demolition in a Conservation Area

The conservation area is of the opinion that the existing building falls outside the essential character of the area there would be no concerns with regard to the loss of the building - subject to adequate replacement.

Demolition consent was granted on 31st March 2015 on the basis that the proposed replacement scheme had been agreed.

FLOODING

Rivers Agency have stated that the NI Flood Map indicates that the site lies outside the 1 in 200 year coastal floodplain of Belfast Lough. A Drainage Assessment was subsequently requested. The Drainage Assessment was submitted and Rivers Agency have asked that in order to fully assess this document further information should be submitted in the form of all correspondence with NI Water including a letter to consent to discharge storm water into an NI Water system. I am of the opinion that this is something which can be achieved through the implementation of a planning condition to ensure this information is submitted prior to the commencement of development.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Suitable office scheme within an inner city conservation area on a site with a history of similar approvals. Demolition approved as part of a DCA application as the proposed replacement had been found acceptable.

Conditions

1. As required by Section 61 of the Planning Order (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to the Council for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.

Reason: Protection of human health.

3. As part of the site clearance works all remaining fuel storage tanks and associated infrastructure on the site shall be fully decommissioned in line with Pollution Prevention Guidance No 2 and No 27 (PPG2 and PPG27). Soil and groundwater sampling shall be undertaken for a suitable analytical suite with contamination further investigated if found to be present.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

4. Following site clearance, no development shall commence until the applicant has submitted evidence in writing to the Council for its agreement, which demonstrates that the risks to groundwater and other environmental receptors due to on-site contamination of the ground and groundwater have been effectively assessed. This evidence should include:

- The site information under Condition 1 and site investigation data to be designed and implemented in accordance with British Standard BS 10175:2011 "Code of practice for investigation of potentially contaminated land sites".
- Groundwater quality monitoring data and a quantitative risk assessment to investigate the risks to groundwater from contamination identified at the site.
- Provision of remedial criteria as soil and groundwater concentrations that would not pose a risk to environmental receptors if unacceptable risks are identified. The remedial criteria are required to be derived through quantitative risk assessment based on the conceptual site model.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

5. Should a piled foundation be required, the development hereby permitted shall not commence until the Council has received a piling risk assessment, which is informed by appropriate site data, for its agreement. The assessment should refer to the guidance provided in the Environment Agency (2001) document, 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' reference NC/99/73.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

6. The development hereby permitted shall not commence until a detailed remediation strategy to address all unacceptable risks to environmental receptors identified from Conditions 2, 3 and 4. This strategy must be submitted in writing and agreed with the Council and should identify all unacceptable risks on the site, the remedial objectives/criteria and the measures which are proposed to mitigate them (including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria, monitoring program, etc).

Reason: Protection of environmental receptors to ensure the site is suitable for use.

7. The development hereby permitted shall not be occupied until the remediation measures as described in the remediation strategy submitted under Condition 4 have been implemented to the satisfaction of the Council. The Council must be given 2 weeks written notification prior to the commencement of remediation work.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

8.If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Council shall be notified immediately. A no development area will be agreed and this new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Council in writing, and subsequently implemented and verified to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

9.After completing all remediation works under Conditions 5 and 6 and prior to the occupation of the development, a verification report needs to be submitted in writing and agreed with the Council. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

Informatives

1.Public water supply within 20m of your proposal, consultation with NIW is required to determine how your proposals can be served. Application to NIW is required to obtain approval to connect.

2. Foul sewer within 20m of your proposal, consultation with NIW is required to determine how your proposal can be served.

3.No surface water sewer within 20m of your proposal, you may wish to apply to NIW to requisition a surface water sewer to serve your proposal if it will serve more than 1 property to discharge roof drainage.

4.The applicant is advised to contact NIW through its Customer Relations Centre on 08457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

5. If during the course of developing the site the developer uncovers a pipe not previously evident, NIW should be notified immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the pipe. Notify NIW Customer Relations Centre on 08458 770002.

6.Although it has been determined above if NIW infrastructure is within 20m of this proposal, consultation with NIW is required at an early design stage by means of a Predevelopment Enquiry to determine how this proposal may be served.

7.The applicant is advised that the proposed commencement of Part III of the Waste

and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation.