

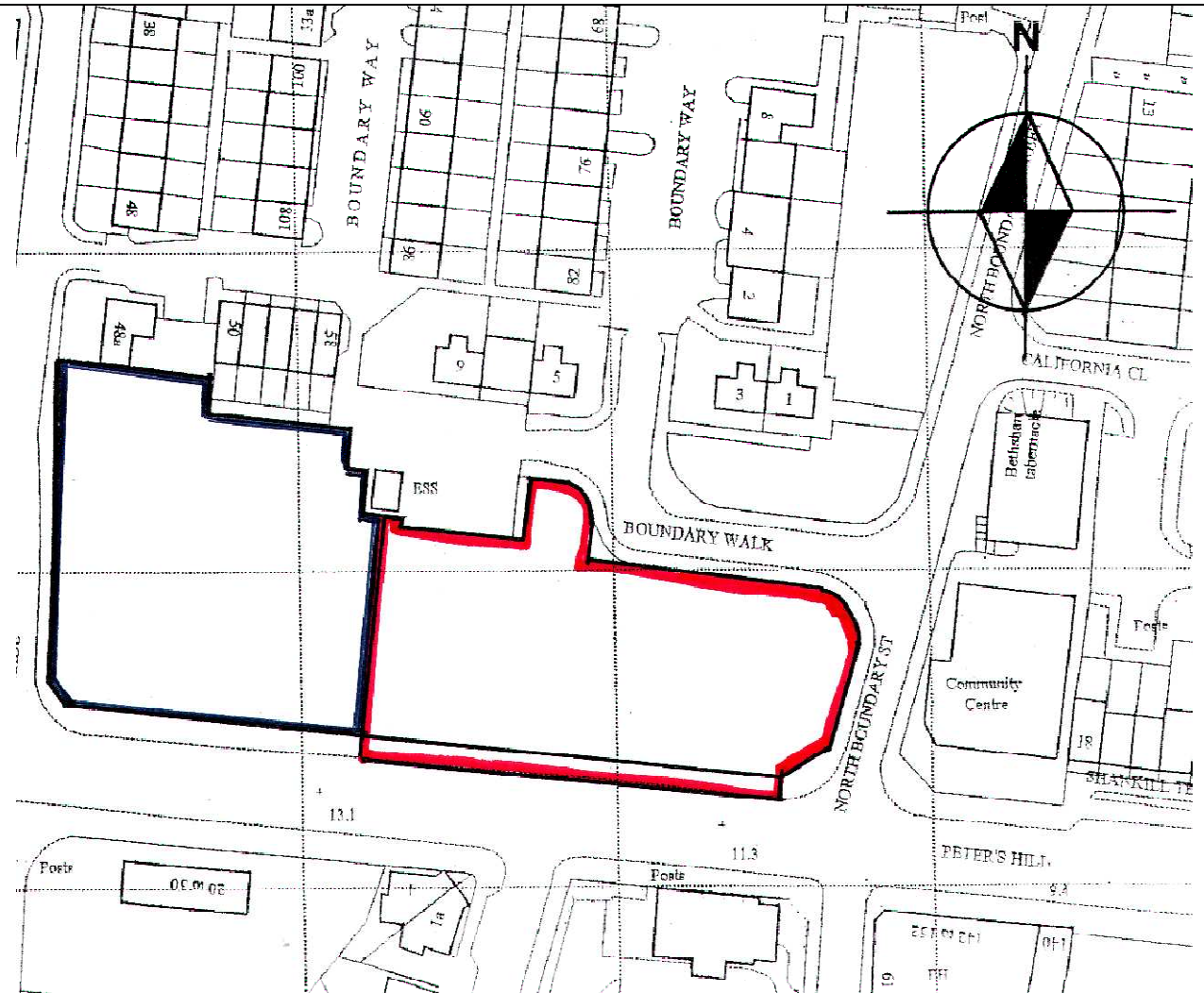


Development Management Officer Report Committee Application

| Summary | |
|---|---|
| Committee Meeting Date: 19 May 2015 | Item Number: |
| Application ID: Z/2014/1221/O | Target Date: |
| Proposal: Renewal of planning permission granted under Z/2009/1234/O for construction of a four storey 96 bed nursing home with associated car parking and landscaping | Location: Lands between North Boundary Street Boundary Walk and 69-71 Shankill Road BT13 |
| Referral Route: Major Application | |
| Recommendation: | Approval |
| Applicant Name and Address: Clear Pharmacy c/o agent | Agent Name and Address: TSA Planning Ltd 29 Linenhall Street Belfast BT2 8AB |
| Executive Summary: The application seeks full outline planning permission for a four storey 96 bed nursing home with associated car parking and landscaping (renewal of Z/2009/1234/O). The main issue to be considered in this case are: <ul style="list-style-type: none">• The principle of a nursing home at this location; The site is located on unzoned land within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan 2015. Outline planning permission was previously granted for the same proposal on this site. Consultees have offered no objections subject to conditions relating to contamination investigation and mitigation and provision of appropriate access and parking arrangements at design stage (reserved matters stage). It is recommended that the application is approved with conditions. | |

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|--|-------------------------------|
| Non Statutory | NI Transport - Hydebank | Substantive Response Received |
| Non Statutory | NI Water - Multi Units East - Planning Consultations | No Objection |
| Non Statutory | Env Health Belfast City Council | Substantive Response Received |
| Non Statutory | Land and Resource Management | 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 | No Petitions Received |

| | |
|--|--|
| and signatures | |
| <p>Characteristics of the Site and Area</p> <p>The site is located on lands between North Boundary Street, Boundary Walk and 69-71 Shankill Road, Belfast. The site is vacant and is bound by temporary hoarding. Access into the site is presently at the rear from Boundary Walk. The site gently rises to the west from North Boundary Street towards Shankill Parade. The principle of development has already been established under recent planning approvals on the site, most significantly under Z/2010/1243/O.</p> <p>The site is located on unzoned whiteland within the development limits of Belfast in BMAP. Mixed use area with large commercial buildings along Shankill Road and high density two storey residential properties to the north of the site set back from the Shankill Road frontage.</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 DCAN 9 - Residential and Nursing Homes</p> <p>Belfast Metropolitan Area Plan</p> <p>The site is located within the development limits of Belfast in BMAP. The presumption is therefore in favour of development subject to the planning considerations detailed below. The principle of development has already been established under recent planning approvals on the site, most significantly under Z/2010/1243/O.</p> <p>CONTAMINATED LAND</p> <p>Further to the submission of an updated Preliminary Risk Assessment Environmental Service Department of BCC and NIEA Waste Management Unit have recommended conditions similar to those for the previous planning permission (Z/2009/1243/O).</p> <p>NOISE</p> <p>It is noted that the proposal is located in close proximity to residential properties. Given the proximity of the development to these residential properties BCC have requested that conditions are attached to any planning permission granted to ensure that nearby properties do not suffer intermittent disturbance and loss of amenity as a result of noise and odours from cooking operations associated with the proposal. These conditions are detailed below.</p> <p>ACCESS, MOVEMENT AND PARKING</p> <p>Transport NI have offered no objection to the scheme subject to specific conditions. The proposal is a straightforward renewal of outline planning approval Z/2009/1243/O for an identical proposal. The outline approval is live until 16th December 2016.</p> <p>VISUAL AMENITY</p> <p>The potential use of different finishes, materials and design (including stepping down ridge heights as the ground level descends towards Peter's Hill), as shown on indicative streetscape drawings, will help break up the overall massing on what is a substantial</p> | |

built form. Given the approval at the adjacent site facing onto Shankill Road the proposed four storey form is acceptable.

RESIDENTIAL AMENITY

Given the two storey residential properties to the rear of the site at Boundary Walk I would suggest that at detailed design stage (reserved matters) careful consideration should be given to the massing and height of the building along the northern boundary, to ensure the proposal is sympathetic to this lower residential character and to protect the amenity and outlook of neighbouring dwellings.

Neighbour Notification Checked

Yes

Summary of Recommendation:

Renewal of outline planning approval Z/2009/1243/O for an identical proposal for a four storey 96 bed nursing home. The approval is extant and there have been no significant change in policy from the date of the previous approval.

Conditions

1. As required by Section 62 of the Planning (Northern Ireland) 2011, application for approval of the reserved matters shall be made to the Department within 3 years of the date on which this permission is granted and the development, hereby permitted, shall be begun by whichever is the later of the following dates:-

- i. the expiration of 5 years from the date of this permission; or
- ii. the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: Time Limit

2. The under-mentioned reserved matters shall be as may be approved, in writing, by the Department :-

Siting; the two dimensional location of buildings within the site.

Design; the two dimensional internal arrangement of buildings and uses and the floor space devoted to such uses, the three dimensional form of the buildings and the relationship with their surroundings including height, massing, number of storeys, general external appearance and suitability for the display of advertisements.

External appearance; the colour, texture and type of facing materials to be used for external walls and roofs.

Access; the location and two dimensional design of vehicular and pedestrian access to the site from the surroundings and also the circulation, car parking, facilities for the loading and unloading of vehicles and access to individual buildings within the site.

Landscaping; the use of the site not covered by building and the treatment thereof including the planting of trees, hedges, shrubs, grass, the laying of hard surface areas, the formation of banks, terraces or other earthworks and associated retaining walls,

screening by fencing, walls or other means, the laying out of gardens and the provisions of other amenity features.

Reason: To enable the Council to consider in detail the proposed development of the site.

3.A plan at 1:500 scale (min) shall be submitted and agreed with the Department as part of the reserved matters application detailing the proposed access in accordance the design guide DCAN 15 Vehicular Access Standards.

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

4.The means of vehicular access to the development hereby permitted shall be from Boundary Walk only.

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

5.Parking and turning areas shall be provided within the curtilage of the site to the satisfaction of the Council, so that adequate parking is provided for the proposal and that vehicles can enter and leave the site in a forward gear. The precise no. of which shall be determined at reserved matters stage.

Reason: To ensure adequate in curtilage parking and turning in the interests of road safety and the convenience of road users.

6.The provision of cycle facilities in accordance with the requirements contained in the Council's Parking Standards shall be submitted as part of the reserved matters application.

Reason: To ensure acceptable cycle parking facilities on the site and encourage alternative modes of transport to the private car.

7.A detailed Travel Plan shall be submitted as part of the reserved matters application.

Reason: To encourage the use of alternative modes of transport to the private car.

8..Prior to the occupation of the proposed development, the applicant shall provide to the Council, for approval, a Verification Report. This report must demonstrate that the remediation measures outlined in the RSK Group Plc Report titled Peters Hill Belfast, Addendum to Doran Consulting Report: Preliminary and Generic Risk Assessment for Proposed Development: Peters Hill Belfast, dated February 2010 and referenced 600242 have been implemented.

The Verification Report shall demonstrate the successful completion of the proposed works and that the site is now fit for end-use (Residential without Plant Uptake). The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:

- (a) The final site layout is as per the M C Logan Architects Drawing No 630/K/SD/02 found in the Figures section of the RSK Group Plc dated February 2010 (referenced 600242) and that the site has been primarily covered with hardstanding
- (b) Areas of landscaping have been capped with a minimum 500mm of clean imported material. This material must be demonstrably suitable for the end use (Residential without Plant Uptake).

Reason: Protection of human health

9 .A proprietary odour abatement system shall be installed to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation ducting shall terminate at a height not less than 1 metre above the eaves height of the main building and it should be directed away from nearby dwellings.

Informatives

1.The applicant is advised to ensure that all plant and equipment associated with the proposal is so situated, operated and maintained as to prevent the transmission of noise and odours to nearby residential properties.

2.Dependant on the method of heating to be used on the premises it may be necessary to provide a chimney for a boiler, the height of which should be approved by Belfast City Council. Guidance on chimney height calculation is given in the third edition of the 1956 Clean Air Act Memorandum on Chimney Heights. Further advice may be sought from the Pollution Control Division, Belfast City Council, 4-10 Linenhall Street, Belfast, BT2 8BP.

3.The applicant and future users are advised that the proposed development is located within an area declared as an Air Quality Management Area (AQMA) under the Environment (NI) Order 2002. Levels of nitrogen dioxide are predicted to exceed the hourly and annual means and levels of particulate matter (PM10) are predicted to exceed the 24 hour and annual means as prescribed by the Government through the National Air Quality Strategy.

The Council along with relevant partners is currently developing an air quality action plan that stipulates how they intend to implement measures that are designed to improve air quality within AQMAs. The applicant and future users should be aware that the area may be subject to mitigation and control measures as part of the air quality management process.

4.The extraction and ventilation system must be cleaned and maintained in accordance with Manufacturer's instructions to ensure compliance with condition No. 10.

5.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.

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

7.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.

8.The water requirements for you proposal may be eligible for the provision of a public watermain if it will serve more than 1 property and each property will have an individual supply direct from the proposed public watermain under Article 76 of the above order

9.The sewers within your proposal may be eligible for consideration for adoption under Article 161 of the above order if they meet the criteria as set out in the current Sewers for Adoption specification.

10.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.

11. 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.

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

Signature(s)

Date: