

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 15 November 2016	
Application ID: LA04/2016/1543/RM	
<p>Proposal: Phase 3 reserved matters application site clearance and decontamination including demolition of unlisted former nurses homes and ancillary buildings (numbers 23 to 27 and 30) and enabling engineering works, erection of 8 semi-detached and 24 detached (32 total) dwellings, extension of service road from phase 1, landscaping and any other associated works.</p>	<p>Location: Belvoir Park Hospital, Hospital Road Belfast BT8 8JP</p>
Referral Route: More than 10 dwellings	
Recommendation:	Approve Subject to Conditions
<p>Applicant Name and Address: Belvoir Park LLP 14 Holywell Row London EC2A 4JB</p>	<p>Agent Name and Address: Urban Dynamics Limited Scottish Provident Building 7 Donegall Square West Belfast BT1 7JH</p>
<p>Executive Summary:</p> <p>The application seeks planning permission for phase 3 reserved matters application to include site clearance and decontamination including demolition of unlisted former nurses homes and ancillary buildings (numbers 23 to 27 and 30) and enabling engineering works, erection of 8 semi-detached and 24 detached (32 total) dwellings, extension of service road from phase 1, landscaping and any other associated works.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> • Planning History; • Design, layout, amenity space provision; • Landscaping and trees; • Archaeology and Listed Buildings; • Ecology; and • Pedestrian Vehicular access and parking. <p>The principle of this development has already been established under Y/2009/0462/O and for the most part it is in accordance with the agreed Concept Master Plan (CMP) approved under Y/2009/0462/O.</p> <p>The layout and design of the development is similar to that previous approved under Phase 1 and 2 residential developments and is therefore considered acceptable.</p>	

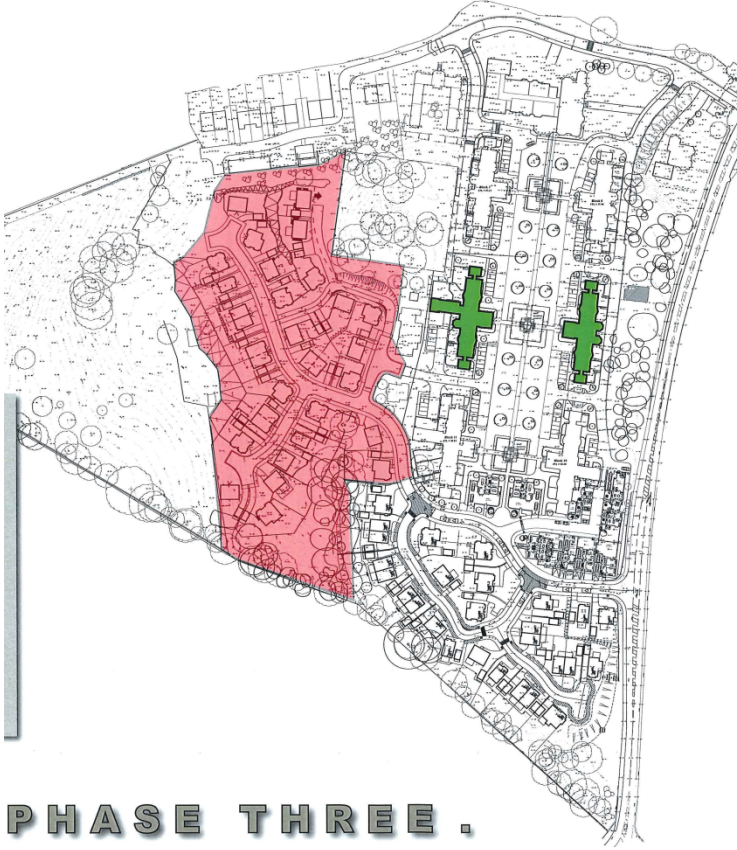
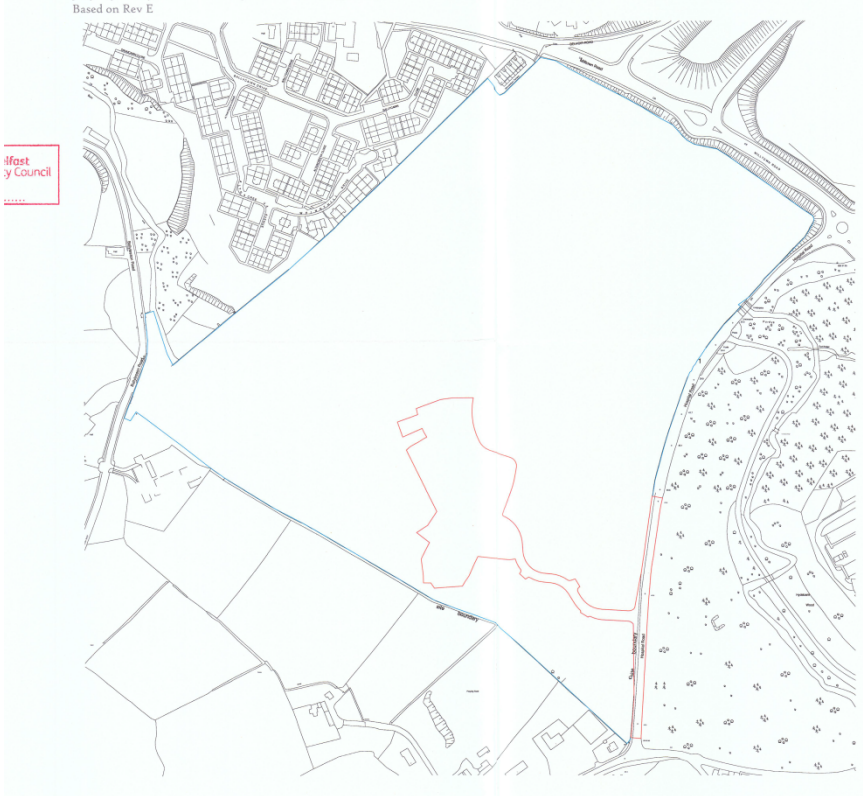
No representations from third parties have been received.

Consultees raised no objection in principle subject to conditions.

Approval is recommended subject to conditions. Delegation of final conditions to Director of Planning & Place requested.

Case Officer Report

Site Location Plan



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	A reserved matters application (Phase 3 of Belvoir Park Redevelopment) is sought for site clearance and decontamination including demolition of unlisted former nurses homes and ancillary buildings (numbers 23 to 27 and 30) and enabling engineering works, erection of 8 semi-detached and 24 detached (32 total) dwellings, extension of service road from phase 1 residential development, landscaping and other associated works.
2.0	Description of Site
2.1	The site comprises 2.08 within the larger former Belvoir Park Hospital located south of Belfast City Centre. The site is accessed off Hospital Road which connects to the north of the Outer Ring of Belfast.
2.2	The topography of the site falls away steeply to the southwest towards Ballylesson Road.
2.3	The site is characterised by dense woodland (Lagan Valley Regional Park) to the north, Hospital Road to the east and Lagan Valley Regional Park to the west. Phase 1 residential development is substantially complete with Phase 2 residential development currently under construction.
2.4	A rath which is Scheduled Monument abuts the northern boundary of the site.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	<p>Y/2009/0462/O- Site for residential development of 310 dwellings consisting of new build and conversion of existing buildings. To include retention of all listed structures and removal of all non-listed structures, site clearance and associated works. Retention of existing vehicular access point off Hospital Road, plus provision of new vehicular access off Hospital Road. Approved 23.11.2011</p> <p>Y/2014/0223/RM- Phase 1 Reserve matters application-decontamination and demolition of buildings 20-27,30 and 12 (excluding observation pavilion), erection of 15 detached and 12 semi-detached (27 total) dwellings, construction of service road from hospital road access (approved under Y/2009/0462/O) and landscaping associated with the development – Approved 06.02.2015</p> <p>Y/2014/0401/F- Phase 2 development involving: Restoration of listed and unlisted pavilions through change of use and conversion from hospital wards to dwellings, including internal sub-division of buildings, removal of non-original features, amendment to external envelope to allow new doorways, minor extension, new external steps, railings and walls; removal of glazing to and partial retention of existing covered walkway, amendment to existing car parking areas and existing internal driveways; erection of 9 no. new build dwellings comprising 2 detached, 2 pairs of semi-detached and 3 town houses; amendment to access onto Hospital Road approved under Y/2009/0462/O and landscaping to external areas Approved 10.12.2015.</p> <p>Y/2014/0390/LBC- Phase 2 works to listed pavilion buildings and covered walkway involving: 1. Restoration of listed pavilions through conversion from hospital wards to</p>

	<p>dwellings, including internal sub-division of buildings, removal of non-original features, amendment to external envelope to allow new doorways, minor extension, new external steps, railings and walls; and 2. removal of repair and partial reinstatement (without glazing) of existing covered walkway-Consent granted 07.01.2016</p>
4.0	Policy Framework
	<p>Belfast Metropolitan Area Plan 2015 Zoning MCH 03 Housing- Committed Housing Sites- Development on-going MCH 03/04 Belvoir Park Hospital, Hospital Road, Purdysburn Area of Outstanding Natural Beauty</p>
	<p>Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 : Natural Heritage Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6: Planning, Archaeology and the Built Environment Planning Policy Statement 7- Quality Residential Environments Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation Planning Policy Statement 12- Housing in Settlements</p>
5.0	Statutory Consultees
	<p>DAERA Drainage and Water - No Objection subject to conditions DAERA Land, Soil and Air – No Comment DAERA Natural Heritage and Conservation Areas – No Objection DfC Historic Environment Division Historic Monuments – No Objection subject to conditions DfC Historic Environment Division Historic Buildings – No Objection to new build concern raised regarding the ongoing restoration of the listed pavilion on site DARD Rivers Agency – Further Information Requested Transport NI- In Principle No Objection subject to Private Streets Determination NI Water- No Objection subject to informatives Tree Officer – Concerns raised regarding removal and protection of remaining trees</p>
6.0	Non- Statutory Consultees
	<p>Belfast City Council- EPU- No Objection subject to conditions Lagan Valley Regional Park – No Objection subject to conditions</p>
7.0	Representations
7.1	<p>The application was advertised in local press on 12 August 2016. Neighbours were notified on 18 August 2016. No representations have been received.</p>
8.0	Other Material Considerations
	<p>DCAN 8- Housing in existing Urban Areas Living Places Creating Places DCAN 15: Vehicular Access Standards</p>
9.0	Assessment
9.1	<p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Planning History; - Design, layout, amenity space provision; - Landscaping and trees;

	<ul style="list-style-type: none"> - Archaeology and Listed Buildings; - Ecology; and - Pedestrian Vehicular Access and Parking. <p><u>Planning History</u></p>
9.2	<p>The principle of development has been established under the outline planning permission Y/2009/0462/O which was granted on 12th October 2011. Condition 4 of this approval requires that subsequent proposals are in accordance with the layout design objectives set down in the stamped granted concept masterplan. It also allows for modification of the CMP to ensure delivery of similar design objectives. The then DOE, agreed an amendment to the CMP in accordance with condition 4 in February 2015. Within this context it is considered that the proposed layout is in accordance with the latest agreed CMP.</p> <p><u>Design, Layout and Amenity Space Provision</u></p>
9.3	<p>Policy QD1 of PPS7 is clear in that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.</p>
9.4	<p>The proposal involves the erection of 32 dwellings comprising a mix of 24 detached and 8 semi-detached houses. The style and appearance are considered to be a direct extension of the recently completed phase 1 residential development. The layout of the development is considered acceptable and is informed by the sloping topography of the site. Retaining walls are for the most part less than one metre in height except for a larger retaining wall towards the northern portion of the site. Separation distances both in terms of front to front and back to back relationships generally accord with the recommended standards set out in the guidance document 'Creating Places- Achieving Quality in New Residential Environments'. Private amenity provision is above the recommended 70 square metres for development on greenfield sites. It is therefore considered that the design, layout and amenity provision complies with Policy QD 1 of PPS 7 and associated guidance.</p> <p><u>Trees and Landscaping</u></p>
9.5	<p>There is significant belt of trees on the southern portion of the site (east of proposed site No 3 to No 7) which contribute to the overall setting of the site, all of which are protected by a Tree Preservation Order (TPO). These trees are identified on the tree survey as numbers 183 through to 193. Following concerns raised by Belfast City Council amendments have been received moving the garages further away from the trees (from proposed site No 4 and No 5). Additionally sunrooms have also been removed from the proposed dwellings on these sites and the size of the sunroom on proposed site No 4 has been significantly reduced to ensure it is wholly located outside the Root Protection Zone of protected tree number 187. All built form is now located outside of the crown spreads and Root Protection Zones. Whilst proposed dwellings on site No 3 to No 7 are located within the amenity fall distances of a number of the trees it is accepted that it would be unrealistic to seek amendments given the position of the dwellings approved on the latest CMP which is material in the consideration of this application.</p>
9.6	<p>Overall 48 trees are proposed for removal, these include non-TPO and non-indigenous species with the overall number of TPO trees identified for removal is 24. All the tree removals are in accordance with the outline planning permission, which anticipates a number of removals. In term of the proposed landscaping it is considered that the level of replanting is sufficient to compensate for the loss of TPO trees. These matters will be conditioned.</p>

	<u>Archaeology and Listed Buildings</u>
9.7	In all cases the desirability of preserving an archaeological site or monument and its setting whether scheduled or otherwise, is a material consideration in determining planning applications. The application site contains a known archaeological monument. HED: Historic Monuments Units have no objections subject to conditions. In this respect the Council is satisfied that the proposal complies with the relevant parts of PPS 6 regarding archaeological sites and monuments.
9.8	HED: Historic Environment Division has considered the impacts of the proposed 32 no new build dwelling on the setting of the listed buildings and considered that the development works comply with the policy requirements of Policy BH11 of PPS6. HED state that whilst the commitment of the applicant to conserve the listed buildings is recognised, the original outline application included a master plan for the site which involved the decontamination, conversion, repair and reuse of the listed buildings on the site. Conditions applied to this approval requested that a phasing plan accompany each reserved matters application identifying phases of works directed correlated with the restoration of listed or retained buildings.
9.9	HED considers the current reserved matters application does not adequately demonstrate the correlation of new build dwellings and the repair, reuse and conversion of the listed buildings. The Phase 3 layout submitted identifies the restoration of the listed pavilions 8 and 9 with the new build element. It is considered that the phasing of this restoration could be conditioned as part of this reserved matters application in that none of the residential units in Phase 3 shall be occupied until the works to restore listed pavilion 9 and 9 have been completed in accordance with the plans approved under Y/2014/0401/F.
	<u>Ecology</u>
9.10	An ecology report including a bat and badger survey was submitted in support of the application. NIEA: Natural Environment Division has considered the impacts of the proposal on designated sites and other natural heritage interest and on the basis of the information provide has no concerns. Given the response from NIEA the Council is satisfied that the proposal complies with the relevant sections of PPS 2.
	<u>Pedestrian, Vehicular Access and Parking</u>
9.11	Transport NI has verbally confirmed that they find the information submitted in support of the application to be acceptable subject to conditions and agreement of PSD. Transport NI has verbally confirmed that they find the information submitted in support of the application to be acceptable subject to conditions and agreement of PSD.
	<u>Flood Risk and Drainage</u>
9.12	PPS15 seeks to minimise and manage flood risk to people, property and the environment. The site is located outside the 1 in 100 year river flood plain. Given that the proposal will create more than 10 dwellings Policy FLD3: Development and Surface Water Flood Risk Outside Flood Plains of PPS 15 is relevant. A Drainage Assessment was requested by Rivers Agency. However, given the planning history on the site and a discharge consent under Schedule 6 of the Drainage Order (NI) 1973 has been granted by Rivers Agency for the site it is considered that the submission of a Drainage Assessment could be conditioned.
9.13	Northern Ireland Water Ltd has been consulted on the proposal and confirmed that the waste water treatment works (WWTW) has available capacity to accept the additional load.

<p>9.14</p>	<p>Having had regard to the above and given the planning history on the site it is considered that the proposal would not have a significant impact on flood risk, drainage and the sewerage system. The proposed scheme is therefore considered acceptable in accordance with Policy FLD 3 of PPS 15 and the SPPS with respect to flood risk, drainage, sewerage and climate change.</p>
<p>9.15</p>	<p><u>Land Contamination</u></p> <p>Contamination issues have mostly been dealt with as part of the previous permissions. . Waste Management (DAERA) and Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives.</p>
<p>10.0</p>	<p>Summary of Recommendation: Approval</p>
<p>10.1</p>	<p>Having regard to the development plan, relevant planning policies, and other material considerations, it is considered that the development is acceptable. Approval is recommended with conditions.</p>
<p>11.0</p>	<p>Conditions Final Wording of Conditions to be Delegated to Director of Planning and Place</p> <p>The development to which this approval relates must be begun by whichever is the later of the following dates:-</p> <ul style="list-style-type: none"> i. The expiration of a period of 5 years from the grant of outline planning permission; or ii. The expiration of a period of 2 years from the date hereof. <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p> <p>Notwithstanding the provision of Article 3 ad Parts 1 and 3 of Class A and B of the Schedule of the Planning (General Permitted Development) Order (NI) 2015 (or any legislation revoking that Order and re-enacting those provisions) no development shall take place within the curtilage of the dwellings hereby approved.</p> <p>Reason: To preserve the TPO trees and in the interests of residential amenity.</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>No site works of any nature or development shall take place until a fence has been erected around the area specified, on a line to be agreed with the Department’s Historic Environment Division: Historic Monuments. No works of any nature or development shall be carried out</p>

within the fenced area. No erection of huts or other structures, no storage of building materials, no dumping of spoil or topsoil or rubbish, no bonfires, nor any use, turning or parking of plant or machinery. The fence shall not be removed until the site works and development have been completed.

Reason: To prevent damage or disturbance of archaeological remains within the application site.

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.

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.

The applicant shall prior to occupation of the development provide for approval by Belfast City Council a remediation verification report. The report shall demonstrate that the development has incorporated the design details and measures outlined in the RPS Remedial Strategy Report. Belvoir Park Hospital Rev. 0 (Final). IBR0628/PRA/October 2014. They shall be implemented to the satisfaction of the Council.

The Remediation Verification Report shall demonstrate the successful completion of the remediation works and that the site is now fit for the proposed end-use (Residential with Plant Uptake). It must demonstrate that the identified potential pollutant linkages are effectively broken.

The Remediation Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that:

- a) Upon completion of the demolition works, additional test locations (minimum of two) where advanced within their footprint and that sub-soil samples were collected and analysed for a suitable suite of contaminants;
- b) If contamination was identified within these additional test locations, that the conceptual site model and risk assessment were updated and submitted to the Council for approval;
- c) Analytical results of contamination were compared to the remedial end targets to determine whether contaminant levels could pose a risk and therefore require removal/remediation;
- d) Soils in the vicinity of identified PAH, TPH, lead hot spots have been removed and verification soil sampling undertaken in line with industry best practice;
- e) Garden areas are encapsulated by a clean cover system incorporating a 200mm capillary break (granular material) overlain by 500mm of top soil demonstrably suitable for the intended end use.(residential with home grown produce)
- f) All remaining areas to be covered in hard standing.

Reason: Protection of human health

If during the development works, previously unconsidered contamination or risks are encountered, works shall cease and the Council be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and current best practice. A written report detailing the nature of this contamination and its management must be submitted to the

	<p>Council for approval. 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.</p> <p>Reason: Protection of human health.</p> <p>Any excavation within tree protection areas shall be carried out using non-mechanised hand tools only. All roots that are uncovered during excavation in preparation for laying foundations etc., which are in excess of 2.5cm in diameter shall be retained and shall be treated in accordance with BS 3998, 1989 'Recommendations for Tree Work' (or appropriate British Standard current at time of works) and foundations bridged around them. Any tree roots exposed, which are in excess of 5cm in diameter, shall be surrounded in sharp sand before replacing soil or other material in the vicinity.</p> <p>Reason: To ensure that the trees are not damaged or adversely affected.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details and the appropriate British Standard or other recognised Codes of Practice. The works shall be carried out prior to the occupation of any part of the development.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>To protect any retained tree(s) and other vegetation fencing shall be erected in accordance with section 8 & 10 of BS 5837 Trees in Relation to Construction. It shall be erected at the crownsread or half the height of the tree whichever is the greatest and in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and no works shall be carried out including changes ground levels, excavations or fires lit without the written consent of the Local Planning Authority.</p> <p>Reason. To protect trees and other vegetation to be retained.</p> <p>Prior to the commencement of development hereby approved a Drainage Assessment shall Be submitted to Belfast City Council for approval in consultation with Rivers Agency.</p> <p>Reason: To ensure any flood risk is appropriately identified and mechanisms are put in place for its mitigation.</p> <p>None of the residential units in Phase 3 hereby approved shall be occupied until the works to restore the listed and retained pavilions 8 and 9 has been completed in accordance with the plans approved under Y/2014/0461/F as relevant to Phase 3.</p> <p>Reason: To ensure the listed and other retained buildings are restored as part of the comprehensive development of the site.</p>
<p>12.0</p>	<p>Notification to Department (if relevant)</p> <p>N/A</p>

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13.0	Representations from Elected Members N/A
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ANNEX	
Date Valid	19th July 2016
Date First Advertised	12th August 2016
Date Last Advertised	12 th August 2016
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Haddo Street, Belfast 1 Purdysburn Hill, Ballycowan, Belfast, Down, BT8 8JY, 10 – 21 Haddo Street, Belfast 10 Lady Ishbel Avenue, Belfast 17 Purdysburn Hill, Ballycowan, Belfast, Down, BT8 8JY, 2 Haddo Street, Belfast 2 Lady Ishbel Avenue, Belfast 2 Purdysburn Hill, Ballycowan, Belfast, Down, BT8 8JY, 3 – 9 Haddo Street, Belfast 3 Purdysburn Hill, Ballycowan, Belfast, Down, BT8 8JY, 4 Lady Ishbel Avenue, Belfast 6 Lady Ishbel Avenue, Belfast 8 Lady Ishbel Avenue, Belfast	
Date of Last Neighbour Notification	18th August 2016
Date of EIA Determination	
ES Requested	No
Drawing Numbers and Title	