

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date: 14 March 2017</b>	
<b>Application ID:</b> LA04/2017/0006/RM	
<b>Proposal:</b> Development of a four storey office building and external landscaping to include car parking	<b>Location:</b> Weavers Court Business Park Linfield Road Belfast BT12 5GH
<b>Referral Route:</b> Major Application	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> Linfield Properties Weavers Court Business Park Linfield Road Belfast BT12 5GH	<b>Agent Name and Address:</b> Doherty Architects 6 Kinnaird Street Belfast BT14 6BE
<p><b>Executive Summary:</b> Application seeks planning permission for a four storey office building and external landscaping to include car parking.</p> <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> <li>- The acceptability of office use at this location;</li> <li>- Contaminated Land</li> <li>- Archaeological and Built Heritage</li> <li>- Traffic, Movement and Parking</li> </ul> <p>The site is located within the Belfast City Centre as designated in the Belfast Metropolitan Area Plan. The site is located on unzoned whiteland.</p> <p>The principle of development on this site was established under a previous application granted 9<sup>th</sup> August 2016 under LA04/2015/1445/O.</p> <p>Historic Environment Division (HED) Historic Buildings Unit have offered no objections in relation to the setting of the adjacent listed Church.</p> <p>NIWater, NIEA Historic Buildings and Historic Monuments Units, and Belfast City Council's Environmental Protection Unit have offered no objections to the proposal in principle and standard conditions are to be applied.</p> <p>The proposal has been assessed against the – Belfast Metropolitan Area Plan; and relevant planning Policies contained within the Strategic Planning Policy for Northern Ireland, Planning Policy Statement 3: 'Access Movement and Parking', Planning policy Statement 4: 'Planning and Economic Development' and Planning Policy Statement 6: 'Planning, Archaeology and the Built Heritage'. The proposal is considered to be in accordance with the conditions set out in the Outline Planning approval, Belfast Metropolitan Area Plan, relevant planning policies, and other material considerations.</p>	

TransportNI comments are outstanding, however the car and cycle parking provision, and general layout remains broadly the same as that approved on the detailed block plan at outline stage.

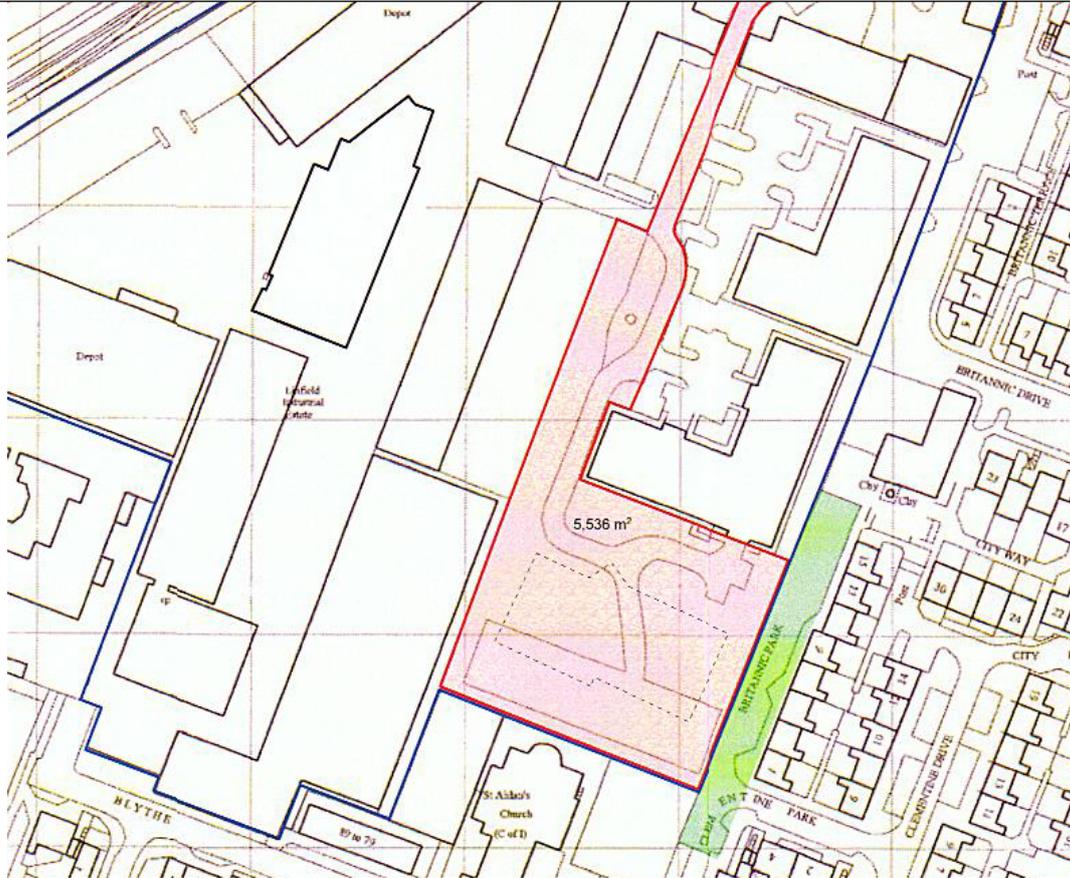
In light of an outstanding consultation responses from TransportNI the Director of Planning and Place is authorised to draft any necessary amendments to/ additional conditions in respect of the Planning Applications Schedule.

There has been no public objection to the proposal.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

## Case Officer Report

### Site Location Plan



### Characteristics of the Site and Area

#### 1.0 Description of Proposed Development

Four storey office building with external landscaping and car parking. The proposed building is to be located on an existing car park and an area of existing open space.

The proposal includes some cutting in to provide a basement level for a plant room and bin storage. The access road wraps around the proposed building and hugs the perimeter of the site with banks of car parking located along the northern and southern boundaries, and along the western side of the existing access road.

The building has a shoulder height of 14m with the upper floor located in a setback, with an overall height of 18m. The main finish is red brick with a vertical dark grey zinc element on the eastern elevation. All windows have a vertical emphasis and are dark grey with a metal surround. The rooftop element is finished entirely in zinc cladding with narrow dark grey aluminium windows. Small rooftop terraces are located on the first second and third floors. On the first floor the terrace is located on the southern elevation, on the first floor it is on the northern elevation and on the third floor there are terraces located on the northern, eastern and western elevations.

	A total of 78 car parking spaces and 34 cycle spaces are proposed.
<b>2.0</b>	<b>Description of Site</b> Located on the periphery of an inner city industrial estate. The site is partly hard standing (car parking) and a lawn area. The southern and eastern boundaries are defined by a high red-bricked wall. The northern and western boundaries are open onto adjoining buildings.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Planning History</b>
<b>3.1</b>	Z/2007/0417/F - Development of a 4-storey office building including basement car park and external landscaping. Approved 27 <sup>th</sup> January 2011
<b>3.2</b>	LA04/2015/1445/O - Development of a four storey office building and external landscaping to include car parking. Approved 9 <sup>th</sup> August 2016
<b>4.0</b>	<b>Policy Framework</b>
<b>4.1</b>	Belfast Metropolitan Area Plan 2015 Policy TRAN 1 Parking Standards with Areas of Parking Restraint.
<b>4.2</b>	Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage
<b>5.0</b>	<b>Statutory Consultees</b> Transport NI – Await response Historic Environment Division – No objection
<b>6.0</b>	<b>Non-Statutory Consultees</b> Environmental Health BCC – No objection
<b>7.0</b>	<b>Representations</b> None received
<b>8.0</b>	<b>Other Material Considerations</b> N/A
<b>9.0</b>	<b>Assessment</b> The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> <li>- The acceptability of office use at this location;</li> <li>- Contaminated Land</li> <li>- Archaeological and Built Heritage</li> <li>- Traffic, Movement and Parking</li> </ul>
<b>9.1</b>	<b>Principle of Office Use at this location</b> The site is located within the development limits of the Belfast Metropolitan Area Plan on unzoned (white) land. The presumption is therefore in favour of development. The principle of the proposed development has already been established on the site through the granting of outline approval for a four storey office block on 9 <sup>th</sup> August 2016. The site is located within the city centre as defined in the Area Plan. The proposal therefore complies with Policy OF1 of the Belfast Metropolitan Area Plan in that the site is located within the designated Belfast City Centre.
<b>9.2</b>	The proposal has been assessed against Policies PED1 and PED7 of PPS4. The principle of office use of this scale has been established on the site through the granting of outline approval for a four storey office scheme in August 2016. The site is located within the City Centre as

defined in the Belfast Metropolitan Area Plan and thus the proposed office use complies with Policy PED1.

A proposal for economic development use, in addition to the other policy provisions of this Statement, will be required to meet all the following criteria:

- (a) it is compatible with surrounding land uses;

The proposal is within an established industrial/ office area within Belfast City Centre boundary. Historic Environment Division now satisfied that the building would not adversely affect the setting of the adjacent listed church.

- (b) it does not harm the amenities of nearby residents;

A row of established two storey properties (1-9 Britannic Park) front onto the eastern boundary of the site.

The building will be located approximately 18m from the front of the dwellings at its nearest point. The upper floor of the building is set back by approximately 4m on the eastern elevation. This will help reduce any potential impact on the amenity of the neighbouring dwellings with approximately 9m of the main body of the building visible from the front of these dwellings over the high boundary wall. Approval has already been granted in principle for an office development of this scale. It is also worth noting that there are no high level windows on the eastern elevation with only narrow stairwell windows above ground floor level. A small roof terrace is located at third floor level, with a 1.7m high screen ensuring that there will be no potential to overlook into the adjacent properties.

- (c) it does not adversely affect features of the natural or built heritage;

The layout shows that an area of soft landscaping will be lost as a result of the proposed development. However this loss of landscaping was permitted through the granting of the original approval on the site (Z/2007/0417/F) in January 2011.

Some landscaping has been retained on the periphery of the site and a comprehensive landscaping plan has been submitted showing new planting along the boundaries and within the car parking bays.

Historic Environment Division are satisfied that the proposal will not be detrimental to the setting of the adjacent listed church, located a short distance from the southern boundary of the site.

- (d) it is not located in an area at flood risk and will not cause or exacerbate flooding;

The area is not within a designated flood plain or an area that has been identified as being prone to flooding.

- (e) it does not create a noise nuisance;

The proposed use is not likely to cause significant noise levels that would impact on amenity of nearby properties.

- (f) it is capable of dealing satisfactorily with any emission or effluent;

No emissions would be associated with the proposed use.

- (g) the existing road network can safely handle any extra vehicular traffic the proposal will generate or suitable developer led improvements are proposed to overcome any road problems identified;

A response from TransportNI remains.

- (h) adequate access arrangements, parking and manoeuvring areas are provided;

Whilst details have been submitted in a parking statement which details the additional parking provision of 30 spaces, with the removal of the existing 48 spaces and the proposed 78 spaces. The details will be dealt with at reserved matters stage should approval be forthcoming

- (i) a movement pattern is provided that, insofar as possible, supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;  
The proposed access road and parking tie in with the existing access road and road infrastructure with 34 cycle spaces provided.
- (j) the site layout, building design, associated infrastructure and landscaping arrangements are of high quality and assist the promotion of sustainability and biodiversity;  
The buildings design reflects the industrial/ commercial context of the site with the red bricked finish and window: wall ratio reflective of many of the buildings in the Weavers Court Complex. The red brick also reflects the finishes on the adjacent terraced houses in Britannic Park and listed Church on Blythe Street.
- (k) appropriate boundary treatment and means of enclosure are provided and any areas of outside storage proposed are adequately screened from public view;  
A detailed landscaping proposal has been submitted. Planting will be provided along the periphery of the site and along the proposed access to soften the impact of the proposed car parking.
- (l) is designed to deter crime and promote personal safety; and  
The existing boundary wall is to be retained and will help secure the site. All parking is overlooked and the site access is private with no through road.

#### **Contaminated Land**

**9.3** Environmental Services Department have offered no further comment and thus any conditions on the outline approval regarding investigation and remediation should be repeated.

#### **Archaeological and Built Heritage**

**9.4** The application site is on the location of the former Linfield Flax and Linen Factory (IHR 10156), one of the largest weaving factories in Ireland. This is a location of local importance and is protected by Policy BH2 of PPS 6.  
In the late nineteenth century the application area contained part of the mill manager's house of "Linfield" and associated gardens. By the mid twentieth century this area was largely built up and part of the factory complex. More recent redevelopment on this site has resulted in the landscaping of the application area.

**9.5** Historic Environment Division: Historic Monuments (HED: HM) has considered the impacts of the proposal. HED: HM is content with the proposal, conditional on the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation *in situ*, as per Policy BH 4 of PPS 6. HED have recommended the conditions detailed below at 11.2 and 11.3 Is attached to any approval.

#### **Traffic, Movement and Parking**

**9.6** The proposal has been assessed against PPS3, TRAN 1 and policy CC025 of BMAP.  
An existing parking area of parking, providing 48 spaces, is being removed under this proposal. 78 spaces are proposed in total in the new scheme, an additional 30 spaces. This is a provision of 1 space per 138 square metres of floorspace, the same as that approved at outline stage.

The Europa Transport Hub is located approximately 300m from the site, with main bus stops

	<p>within 500m.</p> <p>The applicant has demonstrated that a four storey office block with adequate parking is achievable on the site. TransportNI comments remain outstanding but given the parking is reflective of the detailed layout approved at outline stage no issues are anticipated.</p>
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
<b>10.1</b>	Having regard to the outline planning permission on the site, the policy context and other material considerations above, the proposal is considered acceptable and planning permission should be approved for the following reasons.
<b>10.2</b>	Outline approval for a four storey office building approved on the site. Proposal fulfils all the conditions of this approval and provides a high quality office development, in keeping with the character of the area.
<b>11.0</b>	<b>Conditions</b>
<b>11.1</b>	<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"> <li>i. The expiration of a period of 5 years from the grant of outline planning permission; or</li> <li>ii. The expiration of a period of 2 years from the date hereof.</li> </ul> <p>Reason: As required by Section 62 of the Planning Act (Northern Ireland) 2011.</p>
<b>11.2</b>	<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>
<b>11.3</b>	<p>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.</p> <p>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.</p>

<p><b>11.4</b></p>	<p>No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention' available at <a href="http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf">http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf</a>.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
<p><b>11.5</b></p>	<p>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 Belfast City Council for approval. The investigation, risk assessment and if necessary remediation work, must be undertaken and verified in accordance with current best practice.</p> <p>Reason: Protection of human health.</p>
<p><b>11.6</b></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. Planting shall be carried out during the first available planting season prior to occupation of the building hereby approved, in accordance with approved drawing Nos. 07 and 08.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p>
<p><b>11.7</b></p>	<p>If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Council, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.</p> <p>Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p><b>Informatives</b>          If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. 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 Planning Authority in writing, and subsequently implemented and verified to its satisfaction.</p> <p>The purpose of the Conditions 11.6 and 11.7 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.</p> <p>The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.</p>

NIEA Waste Management recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.

For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact:

Historic Environment Division – Historic Monuments  
Causeway Exchange  
1–7 Bedford St  
Belfast,  
BT2 7EG  
Quote reference: SM11/1 IHR 10119

Application for the excavation licence, required under the *Historic Monuments and Archaeological Objects (NI) Order 1995*, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible for the project, to:

Historic Environment Division – Historic Monuments  
Causeway Exchange  
1–7 Bedford St  
Belfast,  
BT2 7EG

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. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks. Failure to provide a satisfactory Verification Report may lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.

The applicant is advised to ensure that all plant and equipment used in connection with the proposal is so situated, operated and maintained as to prevent the transmission of noise and odour to nearby commercial and residential premises.

## ANNEX

<b>Date Valid</b>	12th December 2016
<b>Date First Advertised</b>	13th January 2017
<b>Date Last Advertised</b>	13 <sup>th</sup> January 2017

**Details of Neighbour Notification (all addresses)**

1 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 11 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 13 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 15 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 3 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 49 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 5 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 7 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 9 Brittanic Park, Malone Lower, Belfast, Antrim, BT12 5HG,  
 St Aidan's Church (cofi), Blythe Street, Malone Lower, Belfast, Antrim, BT12 5HX,  
 UNIT 10, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 UNIT 2, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 UNIT 4D, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 UNIT 5A, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 10a, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 10b2, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 Unit  
 13, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 14b, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 15, 51 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 16, 51 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 19a, 51 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 19b, 51 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 19c, 51 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 19d, 51 Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 4b, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 5b, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 5d, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 5e, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 5f, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5GH,  
 Unit 9a, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Unit 9b, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12 5LA,  
 Units 11-12, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12  
 Units 11-12, Weavers Court Business Park, Linfield Road, Malone Lower, Belfast, Antrim, BT12

<b>Date of Last Neighbour Notification</b>	6th January 2017
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	Yes /No

**Drawing Numbers and Title****Notification to Department (if relevant)**

Date of Notification to Department:  
 Response of Department:

