



Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: LA04/2016/2196/F	Target Date:
Proposal: Demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works.	Location: St Patricks Primary School 9-25 Pim Street Belfast BT15 2BN
Referral Route: Major Application	
Recommendation: Approval	
Applicant Name and Address: Edmund Rice Schools Trust NI Ltd 8-30 Barrack Street Belfast BT12 4AH	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
Executive Summary: Full application seeking planning permission for demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works.	
<p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none">- The acceptability of a replacement school on this site. Height, Scale and Design.- Traffic and Parking- Impact on Residential Amenity- Contaminated Land- Pre-application Community Consultation	
<p>The site is located within the development limits of Belfast in the Belfast Urban Area Plan and draft Belfast Metropolitan Area Plan.</p>	
<p>The building will replace the two existing school buildings and will consolidate the facility on one site as opposed to two. 616 pupils and 84 staff members will be accommodated within the new building.</p>	
<p>The scale and massing has been adopted to ensure the neighbouring residential properties will not suffer any loss of amenity as a result of the development. The level change across the site enables the highest part of the school to be located in the middle of the site with the lower parts of the building located towards the edge of the site where the levels are higher.</p>	
<p>In light of outstanding comments from TransportNI it is requested that the final wording of the</p>	

conditions is delegated to the Director of Planning and Place.

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.

Ten letters of objection were received. Concerns raised include car parking and impact of demolition works.

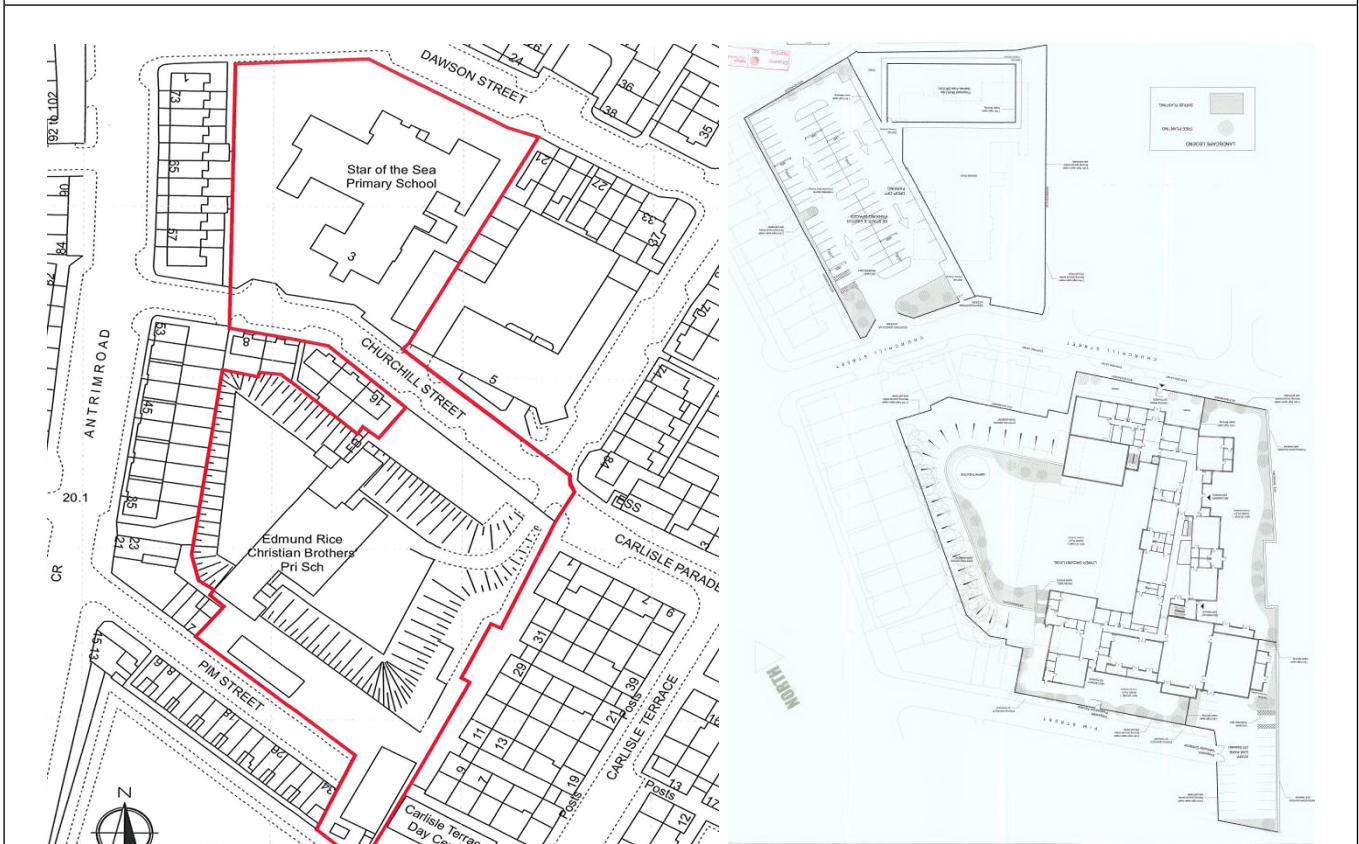
Recommendation

Approve subject to conditions set out in the case officer report.

Signature(s):

Case Officer Report

Site Location Plan



Characteristics of the Site and rea

<p>1.0</p>	<p>Description of Proposed Development Demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works.</p>
<p>2.0</p>	<p>Description of Site The site is currently occupied by a primary school and consists of two distinctive areas, one off Pim Street and the other off Churchill Street. The two main school buildings are located on separate parts of the site. The building on the northern portion of the site off Churchill Street is a two storey red bricked building with hipped roof. The building occupies most of the site with some car parking located to the west along the western boundary. Two mobile classrooms are located close to the eastern boundary. The site slopes gently away to the north-east corner.</p> <p>The building to the south located off Pim Street is a two storey flat roofed structure which runs north to south centrally through the site with a large area of hard and soft landscaping surrounding the building. Mobile classrooms and parking occupy the southern part of the site.</p>

	A row of mature trees define the western boundary with a 3.5m high wall defining the eastern boundary of the site. The site falls towards its centre.
Planning Assessment of Policy and other Material Considerations	
3.0	Planning History
3.1	No relevant planning history
4.0	Policy Framework
4.1	Belfast Urban Area Plan Draft Belfast Metropolitan Area Plan 2015
4.2	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 8 – Open Space, Sport and Outdoor Recreation Residential Areas.
5.0	Statutory Consultees Transport NI – further info requested WaterNI – No objections NIEA – No objections subject to conditions
6.0	Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions
7.0	Representations A total of ten letters of objection have been received, as well as one letter of support. The following issues have been raised: <ul style="list-style-type: none"> - Lack of communication around building site conditions - Impact of demolition works, damage to property - Increased traffic, particularly during construction phase - Existing gate beside the two houses on Pim Street to be used to access a 20 space car park. - Plans state Pim Street not widely used. This is not accurate and street experiences significant traffic problems. - Problems created by closure of Dawson Street access points and reliance on Pim Street as only secondary access point. Plus problems with moving Pim Street access further along the street. - 'The report' doesn't account for pupils travelling from Carrick Hill or St. James' areas. It also states that pupils in the locality walk to school but this is not the case. - Limited information on site traffic and how it will be managed/ access used - Loss of light from homes on Pim Street
8.0	Other Material Considerations
9.0	Assessment The key issues in the assessment of the proposed development include: <ul style="list-style-type: none"> - The acceptability of a replacement school on this site. Height, Scale and Design. - Traffic and Parking - Impact on Residential Amenity - Contaminated Land - Pre-application Community Consultation
9.1	Principle of Redeveloping the Site & Height, Scale and Mass Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.

9.2	The site is located within the development limits of Belfast within the Belfast Urban Area Plan and Draft Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below. In the BUAP the southern portion of the site is zoned as a 'housing renewal area'. Within the latest version of Draft BMAP the site is unzoned whiteland.
9.3	The proposed built form respects the contours of the site and the fact there is a significant level change from the periphery of the site to its lower lying centre. The main bulk of the building is concentrated to the centre of the site with the built form tapering away to the two storey residential streetscape that surrounds the site.
	Traffic and Parking
9.4	Details have been submitted in the form of an amended layout to satisfy TransportNI, who were consulted on 6 th September 2017. A response remains outstanding. The proposed new main entrance to the school will be off Churchill Street in a similar location to the existing. Access to the main car park and drop off Parking will be via Churchill Street in the same location as the existing access. There will be no pedestrian access off Dawson Street. There should therefore be a reduction in traffic on Dawson Street. A small car park and pedestrian access will continue off Pim Street.
9.5	The provision of in-curtilage drop off parking should reduce the numbers of street drop offs on Churchill Street.
9.6	A total of 85 car parking spaces are to be provided - 65 spaces are provided in the main staff and visitor car park, 9 of which are designated as drop off. A further 20 spaces are provided in the car park off Pim Street. The existing school has a 16 space car park off Pim Street and similarly off Churchill Street providing a total of 32 spaces. There is therefore an increase in parking provision of 53 spaces.
	Impact on Residential Amenity
9.7	Given the context of the site in what is a predominantly residential area there are a number of areas where the proximity of what is a substantial built form has the potential to impact on the amenity of neighbouring properties. Each of these areas will be addressed in turn:
9.8	Pim Street – There is a separation distance of approximately 7m from the gable of the nearest property on Pim Street to the proposed built form. The part of the school closest to this dwelling is single storey with a height of 3.5m to the eaves, with the roof sloping away from the dwelling. Because of this and the fact a 2.5m high wall is located along the boundary of the rear amenity area of this property there should be no significant loss of light from the rear of the property. The properties to the other side of Pim Street are located at least 14m from the nearest part of the proposed school building. The part of the building facing onto Pim Street has a maximum ridge height of 5m. The main bulk of the building, and its highest part, is located approximately 35m from the dwellings facing onto the site on Pim Street (as shown on Section C/C) and thus should not have a significant impact in terms of dominance, overshadowing or overlooking.
9.9	Antrim Road – A row of established trees are located along the western boundary of the site and separates the site from the terraced dwellings fronting onto Antrim Road. With a separation distance of at least 60 from the main building there will be no significant impact caused by the built form itself and any potential noise impact from the proposed playground should be nullified by the heavy planting along the boundary which is to be retained in the proposed 4m high landscaped embankment.
9.10	Churchill Street – A two storey block approximately 8.5m in height is located 5m from the nearest dwelling on Churchill Street and 1m from the curtilage of the property. Having said this

	<p>the existing building effectively wraps around the back of this dwelling, albeit it not as far forward on the site and thus does not enclose the side of the dwelling off as much. There will arguably be more of a loss of light from a southern direction, although the private amenity area will experience less enclosure from the rear as it does at the moment, so on balance it is considered that any additional loss of amenity/ loss of light would not be significant.</p>
<p>9.11</p>	<p>Carlisle Terrace – a number of terraced dwellings are located gable onto the site to the east with rear gardens located parallel and at right angles to the 3.5m high wall which defines the eastern boundary of the site. It is arguably along this boundary where the greatest change will occur with the built form moving much closer to approximately 2m at its closest point, stepping back to approximately 10m. Having said this the built form steps down towards the boundary with the highest element standing at 9.5m, approximately 12m from the boundary, with the roof pitched towards the adjacent dwellings with a height of 6.5m to the eaves. The building steps down to the south-west corner with the element which sits closet to the neighbouring dwellings as low as 2m. Given this stepping down of the building there will be no unduly significant impact on the amenity of the adjacent properties, which are located to the other side of a 3.5m high stone wall. This stone wall not only screens the site but arguably has as much of an overbearing impact on the amenity of those dwellings closest to the site than the proposed building will have.</p>
<p>9.12</p>	<p>Contaminated Land An Environmental Site Assessment and Generic Quantitative Risk Assessment (GQRA) has been provided by RSK Ireland Ltd in support of this application. Intrusive site investigations have been undertaken in support of the GQRA. No unacceptable risks have been identified from ground or groundwater contamination for the development.</p>
<p>9.13</p>	<p>Environmental Health and NIEA Land and Groundwater Team have no objections to the development provided conditions are placed on any Planning Decision Notice as recommended below at 11.2 – 11.4.</p>
<p>9.14</p>	<p>Pre-application Community Consultation For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.</p> <p>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2016/0332/PAN) was submitted to the Council on 6th May 2016.</p> <p>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</p> <p>A Pre Application Community Consultation Report (October 2016) has been submitted in support of this application. The Report has confirmed the following:</p> <p>The Public Events took place in the junior assembly hall of St. Patricks Primary School on Thursday 9th June 2016. This event was advertised in the Belfast Telegraph on 16th June 2016. A consultation leaflet was issued directly to 638 residences in close proximity to the site and to the pupils of the school to take home to their parents and guardians.</p> <p>A press notice was advertised in the North Belfast News on 2nd June 2016 and The Irish News on 9th June 2016. The PAN notice was circulated to elected representatives including</p>

Councillors for the Oldpark DEA and North Belfast MLAs.

Face to face meetings were held with representatives from North Belfast Assembly Constituency, North Belfast Westminster Constituency, Belfast City Council Area and the Court and Oldpark District Electoral Areas. All local Councillors were also informed of the public exhibition event.

A total of 29 people attended the public exhibition. Feedback was left on the feedback form by 11 people who attended the public exhibition, with one person leaving feedback via email. The Pre-app Community Consultation report stated the majority of comments supported the proposal but issues were raised including the impact of construction works, traffic and parking, and ground conditions. In response to these concerns some minor changes were made to the final layout.

Consideration of objections:

- **Lack of communication around building site conditions**
- This is something that is out of the control of the planning office. All works should be carried out in such a way as to ensure there is no undue level of disturbance or disruption to neighbouring properties.
- **Impact of demolition works**
- The onus will be on the developer to ensure that adjacent properties suffer no loss of amenity as a result of the proposed demolition works.
- **Increased traffic, particularly during construction phase/ Limited information on site traffic and how it will be managed/ access used**
- TransportNI have expressed no major objections to the proposal. A final response remains outstanding further to an amended layout being submitted to address initial concerns. Construction traffic would inevitably be a short-term issue.
- **Existing gate beside the two houses on Pim Street to be used to access a 20 space car park.**
- This access is to be removed as shown on proposed site layout plan.
- **Plans state Pim Street not widely used. This is not accurate and street experiences significant traffic problems.**
- The main access is now shown off Churchill Street with a pedestrian access off Pim Street, as well as a staff car park. The main car park has been increased in size with the drop off area off Churchill Street, with an additional 53 spaces being provided.
- **Problems created by closure of Dawson Street access points and reliance on Pim Street as only secondary access point. Plus problems with moving Pim Street access further along the street.**
- As stated above the main vehicular access to the drop off parking is off Churchill Street. TransportNI response remains outstanding. The increased level of parking, along with the designated drop-off area should alleviate much of the apparent on-street traffic problems.
- **'The report' doesn't account for pupils travelling from Carrick Hill or St. James' areas. It also states that pupils in the locality walk to school but this is not the case.**
- A TransportNI response is outstanding. An additional 53 spaces are being provided along with a drop-off area. This should make a significant improvement to the traffic flow at peak times and the apparent level of congestion experienced on the streets around the two school sites at present.
- **Loss of light from homes on Pim Street**
- With a separation distance of approximately 7m from the gable of the nearest property on Pim Street, and the fact a 2.5m high wall is located along the boundary of the rear amenity area, and the part of the school closest to this dwelling is single storey with a height of 3.5m to the eaves, there should be no significant loss of light from the rear of the property. The properties to the other side of Pim Street are located at least 14m

	<p>from the nearest part of the proposed school building. The part of the building facing onto Pim Street is limited to approximately 2 storeys in height (5m ridge height). The main bulk of the building, and its highest part, is located approximately 35m from the dwellings facing onto the site from Pim Street (as shown on Section C/C).</p>
10.0	Summary of Recommendation: Approval
10.1	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission should be approved for the following reason. The school will replace the existing school on site. The design respects the existing levels and addresses the neighbouring properties with the massing concentrated centrally with the height dropping towards the site boundaries.</p>
11.0	Conditions
11.1	<p>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: Time Limit.</p>
11.2	<p>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>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.3	<p>All fuel storage tanks (and any associated boiler infra-structure) must be fully decommissioned and removed in line with current Pollution Prevention Guidance (PPG2, PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Conditions 1 and 3 will apply.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
11.4	<p>After completing the remediation works under Conditions 1 and 2; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).</p> <p>The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>Informatives: The purpose of the Conditions 2 – 4 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> <p>NIEA 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.</p> <p>There is no indication on the plans of external lighting for the new school. Artificial lighting should be optically controlled and directed in such a manner as to minimise light pollution from glare and spill. Guidance notes for the reduction of obtrusive light may be obtained from the Institution of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire CV21 2DZ, available at http://www.britastro.org/dark-skies/pdfs/ile.pdf.</p> <p>The applicant is advised to ensure that all plant and equipment used in connection with the new school is so situated, operated and maintained as to prevent the transmission of noise to nearby residential houses.</p>
	<p>Neighbour Notification Checked Yes</p>
	<p>Signature(s)</p>
<p>12.0</p>	<p>Notification to Department (if relevant) N/A</p>
<p>13.0</p>	<p>Representation from elected member N/A</p>

ANNEX	
Date Valid	20th October 2016
Date First Advertised	4th November 2016
Date Last Advertised	4th November 2016
Details of Neighbour Notification (all addresses)	
<p>1 Carlisle Parade, Town Parks, Belfast, Antrim, BT15 2PS, 1 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP, 1 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ, 10 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP, 10 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 11 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR, 12 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP, 12 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 13 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR, 13-15, Antrim Road, Town Parks, Belfast, Antrim, BT15 2BE, 14 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP, 14 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 15A Antrim Road, Town Parks, Belfast, Antrim, BT15 2BE, 16 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP, nuala murray 16 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, Nuala Murray 16, Pim Street, Belfast, Antrim, Northern Ireland, BT15 2BN 18 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 20 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ, 20 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 21 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ, 21-23, Antrim Road, Town Parks, Belfast, Antrim, BT15 2BG, 22 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ, 22 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 24 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ, 24 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 26 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ, Robert Mc kaig 26 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, Conor Lawlor 28 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, Conor Lawlor 28 Pinn Street, Town 29 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR, 3 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP, 3 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 3 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN, 30 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,</p>	

31 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR,
Thomas Poland
32 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
Deirdre O' Neill
34 Pim Street Town Parks Belfast
Conor Derby
34 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
4 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ,
5 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
Frances Quinn
5, Pim Street, Belfast, Antrim, Northern Ireland, BT15 2BN
Frances Quinn
5, Pim Street, Belfast, Antrim, Northern Ireland, BT15 2BN
57 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
59 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
6 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ,
6 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
61 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
63 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
65 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
67 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
69 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
7 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR,
7 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
71 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
73 Antrim Road, Town Parks, Belfast, Antrim, BT15 2BJ,
8 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP,
8 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
82 Lepper Street, Town Parks, Belfast, Antrim, BT15 2DN,
84 Lepper Street, Town Parks, Belfast, Antrim, BT15 2DN,
9 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR,
9-25, Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,
Ashton Centre, 5 Churchill Street, Town Parks, Belfast, Antrim, BT15 2BP,
Day Centre, 2 Carlisle Terrace, Town Parks, Belfast, Antrim, BT15 2PR,

Date of Last Neighbour Notification	1 st Nov 2016
Date of EIA Determination	8 th November 2016
ES Requested	No

Drawing Numbers and Title 01, 02/A, 03, 04, 05, 06, 07, 08

Notification to Department (if relevant)

Date of Notification to Department:
Response of Department:

