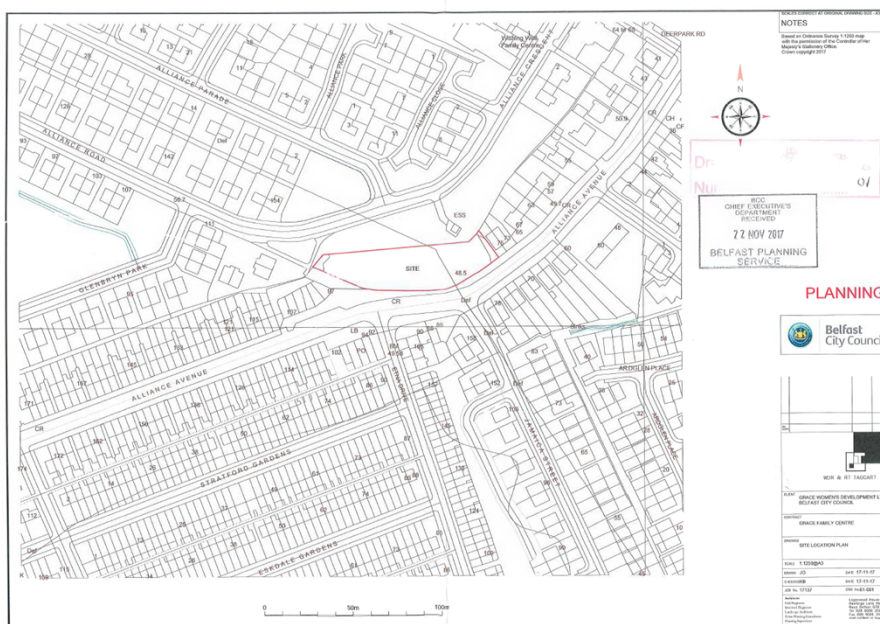


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 15 May 2018	
Application ID: LA04/2017/2629/RM	
Proposal: Proposed 2 storey community building to provide indoor play area, training and education facilities including outdoor play area, car parking and associated landscaping (amended plans and additional information)	Location: Vacant land to the west of 75 Alliance Avenue Belfast
Referral Route: Belfast City Council interest.	
Recommendation:	Approval
Applicant Name and Address: Grace Women's Development Ltd C/O Ardoyne Community Centre 40 Herbert Street Belfast BT14 7FE	Agent Name and Address: WDR & RT Taggart Laganwood House Newforge Lane Belfast BT9 5NX
<p>Executive Summary:</p> <p>Reserved matters planning approval is sought for a 2 storey community building to provide indoor play area, training and education facilities including outdoor play area, car parking and associated landscaping.</p> <p>The site is unzoned whiteland within the BUAP 2001 and draft BMAP 2015. The site falls within the development limits for Belfast in both Plans.</p> <p>The main issues to be considered are;</p> <ul style="list-style-type: none"> - The principle of the use of the proposal, - The impact of the development on the character and appearance of the surrounding area, - The impact on traffic and parking; - Flood risk and; - Amenity. <p>The proposal has been assessed against the draft development plan (dBMAP 2015) and relevant regional planning policies. The proposal is considered to be compliant with the draft plan and prevailing regional policy.</p> <p>No third party representations have been received.</p> <p>Recommendation</p> <p>Having had regard to the development plan and other material considerations it is recommended that the application is approved subject to conditions.</p>	

Case Officer Report

Site Location Plan



Third Party 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

Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Reserved matters planning approval is sought for a 2 storey community building to provide indoor play area, training and education facilities including outdoor play area, car parking and associated landscaping.</p>
2.0	<p>Description of Site</p> <p>The site is an area of green space, grassed and bounded along the footpath by a metal railing approximately 1m in height. To the rear it is bound by a metal and brick pier 'peace-line' wall, beyond which lies open space as well as residential properties, some of which are derelict. To the east of the site is a two storey residential property along the boundary. To the west of the site are a number of commercial and retail properties, some of which are lying vacant. Directly opposite, across the road on Alliance Avenue there is a row of derelict shop units. The site is relatively flat but with a gentle slope towards rear (north).</p> <p>The immediate local area is characterised by residential development, mostly terraced dwellings / social housing.</p>

Planning Assessment of Policy and other Material Considerations

3.0	<p>Site History</p> <p>Z/2012/1414/O – Land to the west of No 75 Alliance Avenue, Belfast</p>
-----	--

	BT14 7PJ - Proposed two storey community building to provide childcare, indoor play area, training and education facilities including outdoor play area, car parking and associated landscaping. Approval.
4.0	Policy Framework
4.1	Draft Belfast Metropolitan Area Plan 2015 Belfast Urban Area Plan 2001 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.
4.2	Regional Development Strategy 2035; Belfast Urban Area Plan 2001; Belfast Metropolitan Area Plan (BMAP) 2015 (draft); Strategic Planning Policy Statement for NI (SPPS); Planning Policy Statement 8 - PPS8: Open Space, Sport & Outdoor Recreation; Planning Policy Statement 6 – PPS 6: Planning, Archaeology and the Built Heritage; Planning Policy Statement 3 - PPS3: Access, Movement and Parking; and Planning Policy Statement 15 – Planning and Flood Risk.
5.0	Assessment
5.1	Consultations: The following bodies were consulted as part of the processing of this application: DfI Roads; NIEA; River Agency; Belfast City Council's Environment and Health Services Dept.; PSNI; and NIWater. None have any objection in principle to the proposal.
5.2	Constraints: The site is unzoned whiteland within the BUAP 2001 and draft BMAP 2015. The site falls within the development limits for Belfast in both Plans.
5.3	Principle of Development The principle of the proposal at this location has been established by the granting of outline planning permission on this site under planning application ref. Z/2012/1414/O which expired on 26 November 2017. The current proposal was submitted before this date as required under Section 62 of the Planning Act (NI) 2011. This leaves the following issues to be addressed: the impact of the proposal on the: <ol style="list-style-type: none"> 1. Character of the surrounding area; 2. Amenity; 3. Parking / traffic; and 4. Flood risk.

5.4	<p>Design: The proposed building will be two-storey with a 10 degree pitched roof. There will also be a single-storey element wrap-around on its east side; two storey protections to the south (front) and north/north-west (rear). The external finished materials will consist of a mix of clay red brick, render and metal cladding to walls; metal cladding to the roof; and double glazed windows in aluminium frames. There is a strong solid to void ratio. The form, massing and design of the proposed building will not result in demonstrable harm to the overall character of the surrounding area. This complies with paragraphs 4.23-4.36 of the SPPS.</p>
5.5	<p>Levels: The proposal responds to the existing levels on the site without the need for any retaining structures or/ and infilling. The proposed finished floor level is approximately the same height as the existing ground level.</p>
5.6	<p>Landscaping: The proposal has an adequate level of soft landscaping relative to the prevailing local area, including the retention of existing trees where possible. However, a landscape plan with details of all proposed hard and soft landscaping will be required to be submitted for approval prior to construction commencing to ensure that adequate plant species, number etc are planted and to ensure that existing trees are properly identified and retained where possible. This can be secured via a negative condition. Fencing and other means of enclosure are considered to be acceptable in the context of the site and surrounding area.</p>
5.7	<p>Amenity: The form, design and siting of the proposed building will not affect any neighbouring buildings. There are ample separation distances to surrounding properties. None of the proposed windows overlook onto any neighbouring residential properties. This complies with paragraphs 4.11-4.12 of the SPPS.</p>
5.8	<p>Access and Parking: Vehicular access is proposed from Alliance Avenue to the east side of the site, where proposed off-street car parking is to be located. DfI Roads has been consulted and has deemed the proposal to comply with relevant policies contained within PPS 3.</p>
5.9	<p>Flooding: A culvert passes through the east side of the site. The site also falls within the 1 in 100 year fluvial flood plain. As such Policy FLD 1 of PPS15 is applicable. This states that no new development shall be permitted within the 1 in 100 year fluvial flood plain unless it can be demonstrated that the proposal is an exception to this policy. The principle of the proposal has already been established by the granting of outline permission in 2014 which demonstrates the exception. The applicant has submitted a Drainage Assessment and Flood Risk Assessment in respect of the flood plain and the culvert. Rivers Agency has, on further consultation, advised that a Schedule 6 consent letter for proposed discharge to a watercourse is required before they will fully assess the Drainage Assessment. Rivers also advised that floodplain storage will be lost as a result of the proposal and have the potential to cause worsening of flooding other locations. As such they state that compensation proposals are required to mitigate against further floodplain storage. It is advised that these issues are resolved via a negative condition given that the principle of the proposed development has already been established via the outline permission.</p>
5.10	<p>Other material considerations: The proposal will bring significant community and regeneration benefits to a socially</p>

<p>5.11</p>	<p>deprived area.</p> <p>Conclusion The proposal will not have any detrimental impact on the character of the surrounding area or the amenity of any surrounding / adjoining land use. It will also bring significant social benefits through urban regeneration, employment and provision of a local community facility.</p>
<p>6.0</p>	<p>Recommendation Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to the following conditions:</p>
<p>7.0</p>	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. 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>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <ol style="list-style-type: none"> 3. After completing the remediation works under Condition 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>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> <ol style="list-style-type: none"> 4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 02A, bearing the date stamp 26 April 2018. <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <ol style="list-style-type: none"> 5. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250 mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such

splays shall be retained and kept clear thereafter.

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

6. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No. 02A, bearing the date stamp 26 April 2018, to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the approved development.

Reason: To ensure that adequate provision has been made for parking within the site.

7. No development shall commence on site until details of all enclosures including fences and the bin store have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

8. No development shall commence on site until a detailed landscape plan has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

9. Prior to commencement of any works associated with the development hereby approved, the applicant / developer shall demonstrate in writing how loss of floodplain storage will be mitigated against. This shall be agreed in writing by the local planning authority.

Reason: To prevent flooding as a result of the development.

- 10 Prior to commencement of any works associated with the development hereby approved, the applicant / developer shall obtain a Schedule 6 consent from Rivers Agency to discharge into any watercourse.

Reason: To demonstrate the viability of the drainage from the development to the satisfaction of Rivers Agency.

Informatives

1. The purpose of the Conditions 2 – 3 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.

2. Notwithstanding the terms and conditions of the Planning Service approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Regional Development's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is, 148-158 Corporation Street, Belfast, BT1 3DH. A monetary deposit will be required to cover works on the public road.
3. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
4. All construction plant and materials shall be stored within the curtilage of the site.
5. Public water supply within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.
6. Foul sewer within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served.
7. Application to NIW is required to obtain approval to connect.
8. Surface water sewer within 20m of your proposal, the Developer is required to consult with NIW to determine how the proposed development can be served. Application to NIW is required to obtain approval to connect.
9. No construction to be made, trees planted or other obstruction made within
 - 3m (or 1.5 times the depth whichever is greater) of sewers, OR
 - 4m (or 1.5 times the depth whichever is greater) of watermains <350mm diameter or 8m of watermains of 350mm diameter or greater. A diversion may be necessary. Consultation with NIW is required at an early design stage.
10. The applicant is advised to contact NIW Waterline on 03457 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 Waterline on 03458 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 obtain details of the availability of existing water and sewerage infrastructure and how their proposal may be serviced.
13. Under the terms of Schedule 6 of the Drainage (NI) Order 1973, any proposals either temporary or permanent, in connection with the

	development which involves interference with any watercourses such as culverting, bridging, diversion, building adjacent to or discharging storm water etc requires the written consent of DfI Rivers. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27 5QB.

ANNEX	
Date Valid	22nd November 2017
Date First Advertised	8th December 2017
Date Last Advertised	9th February 2018
Details of Neighbour Notification (all addresses) The Owner/Occupier, 68 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 70 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 72 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 74 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 75 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 76 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 78 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 86 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 88 Alliance Avenue, Belfast, Antrim, BT14 7PJ, The Owner/Occupier, 90 Alliance Avenue, Belfast, Antrim, BT14 7NW, The Owner/Occupier, Jackies Hairdressers, 99 Alliance Avenue, Belfast, Antrim, BT14 7NT,	
Date of Last Neighbour Notification	1st February 2018
Date of EIA Determination	
ES Requested	No
Planning History Ref ID: Z/2012/1414/O Proposal: Proposed two storey community building to provide childcare, indoor play area, training and education facilities including outdoor play area, carparking and associated landscaping Address: Land to the west of No 75 Alliance Avenue, Old Park, Belfast, BT14 7PJ, Decision: Approval. Decision Date: 27.11.2014	

Drawing Numbers and Title

Drawing No. 01

Type: Site Location Plan

Drawing No. 02A

Type: Proposed Site layout

Drawing No. 03

Type: Existing Site Constraints

Drawing No. 04B

Type: Proposed Ground Floor Layout

Drawing No. 05B

Type: Proposed First Floor Layout

Drawing No. 06A

Type: Proposed Roof Layout

Drawing No. 07B

Type: Proposed Elevations

Drawing No. 08

Type: Proposed Cross Sections

Drawing No. 09

Type: Proposed Longitudinal Section

Drawing No. 10

Type: Topographical Survey

Drawing No. 11

Type: Fence Details