

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 14 August 2018	<b>Item Number:</b>
<b>Application ID:</b> LA04/2018/1651/F	<b>Target Date:</b>
<b>Proposal:</b> Creation of a new visitor centre for the Belfast City Cemetery.	<b>Location:</b> Belfast City Cemetery 511 Falls Road Belfast BT12 6DE
<b>Referral Route:</b> Applicant is Belfast City Council	
<b>Recommendation:</b>	Approval subject to Conditions
<b>Applicant Name and Address:</b> Belfast City Council 9 Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> WDR & RT Taggart Laganwood House New Forge Lane Belfast BT9 5NX
<p><b>Executive Summary:</b> Full permission is sought for a new visitors centre at the Belfast City Cemetery.</p> <p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> <li>• Principle of development and use;</li> <li>• Height, scale, massing, design and finishes;</li> <li>• Parking provision and bicycle provision;</li> <li>• Impact on listed building;</li> <li>• Impact on the residential amenity of neighbours.</li> <li>• Impact on the Local Landscape Policy Area (LLPA);</li> <li>• Impact on the Urban Landscape Wedge;</li> <li>• Other environmental factors.</li> </ul> <p>The principle of development and the proposed use is in keeping with the existing use of the wider site which is a burial ground of significant historical interest to visitors and will continue to be utilised as such. No objections have been received.</p> <p>Environmental Health advises that leachate may be associated with the cemetery use and potential contaminates associated with activities in the service yard. The applicant has provided information on the management of the Cemetery Site in accordance with a site risk assessment and in accordance with COSHH (Control of Substances Hazardous to Health) guidelines. They have also advised that leachate from grass cuttings are not an issue as they are not stored at the application site. Given that evidence of the appropriate management of the site has been submitted, it is considered adequate to condition the submission of a Contamination Assessment for agreement with the Council prior to development commencing. NIEA – Drainage and Water has no objection. Historic Environment Division has no objection. Transport NI requested that consideration be given to parking provision and bicycle parking. The Council considers that the application site, being located on an existing arterial route and directly beside the new Belfast Rapid Transit system, benefits from adequate alternative transport provision in addition to parking which, whilst not formally demarcated, sufficient informal parking within the graveyard and on road parking exists as is the nature of graveyards. A Cycle Stand will be secured by condition. It is therefore considered that adequate parking and immediate proximity to public transport links will adequately serve visitors to the Centre.</p>	

Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.

**Case Officer Report**  
**Site Location Plan**



<b>Consultations:</b>		
Consultation Type	Consultee	Response
Statutory	Historic Environment Division (HED)	No objection
Non Statutory	Environmental Health	No objection
Statutory	DFI Roads - Hydebank	Advice
Statutory	NIEA	No objection
<b>Representations:</b>		
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	

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>  The proposal is for a new visitors centre for the Belfast City Cemetery.
<b>2.0</b>	<b>Description of Site</b>  The site is a small portion of the cemetery located in the north eastern corner adjacent to the Whiterock Road. The site is currently used for the storage of landscaping tools and materials with containers in situ.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>  3.1 LA04/2018/1299/PAD - Visitor centre – Concluded 3.2 Z/2014/0602/LBC - Enhancement works to the existing walls and railings to include: cleaning, repainting, infilling masonry gaps and repointing when required. Blue limestone paving treatment is proposed at the occasional use entrance. Recessed uplighters are proposed at both entrances – Granted 3.3 Z/2003/2254/LB - Extension and alterations to gate lodge – Granted 3.4 Z/2003/2256/F - Single Storey extension and alterations to Gate Lodge – Granted
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Metropolitan Area Plan 2015
	4.1.1 Policy ENV 1 – Local Landscape Policy Areas
	4.1.2 Policy UE 4 – Urban Landscape Wedges
	4.1.3 Policy OS 1 – Community Greenways

4.2	Belfast Urban Area Plan 2001
	Development Strategy Map: Lands reserved for landscape, amenity or recreation use
4.3	<p>4.1 Regional Development Strategy</p> <p>4.2 Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>4.3 Planning Policy Statement 2: Natural Heritage</p> <p>4.4 Planning Policy Statement 3: Access, Movement and Parking</p> <p>4.5 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage</p> <p>4.6 Planning Policy Statement 8: Open Space and Recreation</p> <p>4.7 Planning Policy Statement 15: Planning &amp; Flood Risk</p>
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	Historic Environments Division – No objection
5.2	DRD Transport NI advised consideration should be given to parking provision and cycle parking.
5.3	NIEA – Drainage and Water – No objection
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	BCC Environmental Health – Contamination Assessment to be submitted
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. No comments have been received.
<b>8.0</b>	<b>Other Material Considerations</b>
8.1	<p>The site designated as</p> <ul style="list-style-type: none"> <li>• An Urban Landscape Wedge – BT 081 - Milltown</li> <li>• Local Landscape Policy Area (LLPA) – BT 106 - Falls</li> <li>• Community Greenway – BT 147/04 – LVRP, Bog Meadows and Whiterock Route</li> <li>• Lands reserved for landscape, amenity or recreation use - BUAP</li> </ul>
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> <li>• Principle of development and use;</li> <li>• Height, scale, massing, design and finishes;</li> <li>• Parking provision and bicycle provision;</li> <li>• Impact on listed building;</li> <li>• Impact on the residential amenity of neighbours.</li> <li>• Impact on the Local Landscape Policy Area (LLPA);</li> <li>• Impact on the Urban Landscape Wedge;</li> <li>• Impact on the Community Greenway;</li> <li>• Other environmental factors.</li> </ul>
9.3	

9.4	<p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.</p>
9.5	<p>Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p>
9.6	<p>As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.</p>
9.7	<p>Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. It is deemed that this proposal will not result in demonstrable harm to the residential amenity of neighbours.</p>
9.8	<p><b><u>Principle of Development and Use</u></b>  The principle of the development is considered acceptable. The nature and scale of the proposal is considered acceptable at this location and compatible with the existing use of the site.</p>
9.9	<p><b><u>Height, scale, massing, design and finishes</u></b>  The proposed new building is to be located to the rear of the existing superintendent's house and will be subservient in scale at single storey with a feature full height focal point roof. The proposed design and finishes will complement the existing finishes of the adjacent superintendents building with random rubble stonework, inscribed with historic references, set into the brickwork and will sit comfortably alongside the listed building. The proposed building will result in the removal of a number of portacabins which currently sit alongside the existing building.</p>
9.10	<p><b><u>Parking and bicycle provision</u></b>  Transport NI requested that consideration be given to parking provision and bicycle parking. The Council considers that the application site, being located on an existing arterial route and directly beside the new Belfast Rapid Transit system, benefits from adequate alternative transport provision in addition to parking which, whilst not formally demarcated, sufficient informal parking within the graveyard and on road parking exists as is the nature of graveyards. A Cycle Stand will be secured by condition. It is therefore considered that adequate parking and immediate proximity to public transport links will adequately serve visitors to the Centre.</p>
9.11	<p><b><u>Impact on Listed Building</u></b>  In terms of the impact the proposed new visitors centre will have on the Grade B1 listed building (HB26/25/001) it is considered that the proposal complies with the Policy requirements of PPS6. Historic Environments Division (HED) Historic Buildings were consulted and advised that they are content the proposal complies with SPPS 6.12 and BH11 PPS6 subject to Conditions. HED Historic Monuments is content that the proposal is satisfactory to SPPS and PPS6 archaeological policy requirements. The proposed visitors centre will not detract from the character, appearance or setting of the Listed Building.</p>
9.11	<p><b><u>Impact on Residential Amenity</u></b>  The proposal is located within the City Cemetery and is bounded by the Whiterock Road. The nearest residential dwellings are located on the opposite side of the road and</p>

9.12	<p>therefore it is considered that the proposed visitor centre will not impact on the residential amenity of nearby residents.</p>
9.13	<p><b><u>Impact on the Local Landscape Policy Area (LLPA)</u></b>          In respect of the Local Landscape Policy Area, the proposal will not detrimentally impact on the Local Landscape Policy Area as the proposal site is a small area of what is a larger LLPA and the visitors centre will be located within the footprint of an area currently occupied by portacabins and sheds and sits alongside the current built form of the Superintendents House and is subservient to same. The proposed visitors centre will not detract from the amenity value or landscape quality that the LLPA currently provides, in the form of a graveyard and associated landscaping and trees which provide a visual break between built form on the Falls and Whiterock Roads. The proposal will not adversely affect the environmental quality, integrity or character of the LLPA and is therefore considered to comply with Policy ENV 1 of draft BMAP 2015.</p>
9.14	<p><b><u>Impact on the Urban Landscape Wedge</u></b>          The proposal will not adversely impact on the Urban Landscape Wedge in which it is situated. The proposal retains the use as a graveyard with the addition of single storey building for use by visitors to the cemetery. The open nature of the urban landscape wedge will be retained and the single storey building for the visitors centre will be ancillary to the use of the graveyard being a historical interest. The building is of a minor scale and will not disrupt long or short range views of the urban landscape wedge from the Falls or Whiterock Roads or within the City Cemetery itself. It is considered that the proposal complies with Policy UE 4 of draft BMAP 2015.</p>
9.15	<p><b><u>Impact on the Community Greenway</u></b>          The proposal will not adversely impact on the Community Greenway which passes through the wider graveyard site in two locations. The links created by the Community Greenway will be retained and the provision of a visitors centre will positively contribute to the experience of pedestrians and cyclists and will not detrimentally impact or alter the Community Greenway link itself. It is considered that the proposal complies with Policy OS 1 of draft BMAP 2015.</p>
9.15	<p><b><u>Other environmental factors</u></b>          NIEA Drainage and Water has no objection to the proposal.</p> <p>Environmental Health advise that leachate may be associated with the cemetery use and potential contaminates associated with activities in the service yard. The applicant has advised that the city cemetery site is managed in accordance with a site risk assessment and in accordance with COSHH (Control of Substances Hazardous to Health) guidelines which has led to the implementation of a special drainage system within the chemical store to prevent the release of harmful substances and the installation of a silt pit to prevent the release of oil (or leachate) in the event of a spill or leak. They have also advised that leachate from grass cuttings are not an issue as they are not stored at the application site. Given that evidence of the appropriate management of the site has been submitted, it is considered adequate to condition the submission of a Contamination Assessment for agreement with the Council prior to development commencing.</p>
10.0	<p><b>Summary of Recommendation:</b>          Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.</p>

<b>11.0</b>	<p><b>Conditions/Reasons for Refusal</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. No part of the development hereby approved shall commence until the Developer has submitted, to the satisfaction of Environmental Health, a Contaminated Land Risk Assessment. This report should follow the methodology outlined in Model Procedures for the Management of Land Contamination (CLR 11) and in the first instance contain the following information:</p> <ul style="list-style-type: none"> <li>• A Preliminary Risk Assessment (often referred to as a Phase I) that includes a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.</li> </ul> <p>Should the Preliminary Risk Assessment demonstrate that potential pollutant linkages exit on the site then a Quantitative Risk Assessment (often referred to as a Phase II) that addresses these issues should be submitted. This must incorporate:</p> <ul style="list-style-type: none"> <li>• A detailed site investigation in line with British Standards BS10175:2011+A1:2013. Any ground gas investigations should be conducted in line with BS8485;</li> <li>• A satisfactory assessment of the risks (including a Revised Conceptual Site Model) associated with any contamination present, conducted in line with current Defra and Environment Agency guidance. In addition, risks associated with ground gases should be assessed under the methodology outlined in CIRIA C665;</li> <li>• Based on the outcome of this risk assessment, a Remediation Strategy (often referred to as a Phase III) may be required. If found to be necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health.</li> </ul> <p>Reason: In the interests of human health and the environment</p> <p>3. Notwithstanding the details on stamped approved drawing No. 05 bearing the date stamp 15 June 2018 no part of the development hereby approved shall commence until the Developer has submitted details of cycle parking within the site, to be agreed in writing with the Planning Authority. Development shall be carried out in accordance with the approved details.</p> <p>Reason: Reason: To encourage the use of alternative modes of transport for development users.</p> <p>4. Materials to be used in the construction of the Visitors Centre shall be: -</p> <ul style="list-style-type: none"> <li>• Roof: Zinc shingles.</li> <li>• Walls: Red brick with natural stone insets.</li> <li>• RWG: Profiled heavy duty cast aluminium.</li> </ul> <p>Prior to the commencement of any works, samples of the red brick and natural stone proposed for use on the elevations shall be submitted and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division. The works shall thereafter be carried out solely in accordance with the approved details.</p>
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	<p>Reason: To respect the character of the setting of the building and ensure the proposal is compliant with Policy BH11 (Development affecting the Setting of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage</p>
<p><b>Neighbour Notification Checked</b></p> <p>Yes</p>	
<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>	
<p><b>Representations from Elected members:</b></p> <p>None</p>	

<b>ANNEX</b>	
<b>Date Valid</b>	15th June 2018
<b>Date First Advertised</b>	6th July 2018
<b>Date Last Advertised</b>	6th July 2018
<b>Details of Neighbour Notification (all addresses)</b>	
<p>The Owner/Occupier, 10 Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 10a ,Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 11 Whiterock Road,Belfast,Antrim,BT12 7PF, The Owner/Occupier, 12 Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 13 Whiterock Road,Belfast,Antrim,BT12 7PF, The Owner/Occupier, 15 Whiterock Road,Belfast,Antrim,BT12 7PF, The Owner/Occupier, 17 Whiterock Road,Belfast,Antrim,BT12 7PF, The Owner/Occupier, 2a ,Clondara Street,Belfast,Antrim,BT12 6ER, The Owner/Occupier, 416 Falls Road,Belfast,Antrim,BT12 6EN, The Owner/Occupier, 418 Falls Road,Belfast,Antrim,BT12 6EN, The Owner/Occupier, 420 Falls Road,Belfast,Antrim,BT12 6EN, The Owner/Occupier, 422 Falls Road,Belfast,Antrim,BT12 6EN, The Owner/Occupier, 6 Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 6a ,Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 8 Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 8a ,Rockmount Street,Belfast,Antrim,BT12 7PE, The Owner/Occupier, 9a ,Whiterock Road,Belfast,Antrim,BT12 7PF, The Owner/Occupier, Apartment 1,416 Falls Road,Belfast,Antrim,BT12 6EN, The Owner/Occupier, Apartment 2,416 Falls Road,Belfast,Antrim,BT12 6EN, The Owner/Occupier,</p>	

Apartment 3,416 Falls Road,Belfast,Antrim,BT12 6EN,  
 The Owner/Occupier,  
 Apartment 4,416 Falls Road,Belfast,Antrim,BT12 6EN,  
 The Owner/Occupier,  
 Apartment 5,416 Falls Road,Belfast,Antrim,BT12 6EN,  
 The Owner/Occupier,  
 First Cabs,9 Whiterock Road,Belfast,Antrim,BT12 7PF,  
 The Owner/Occupier,  
 Grahams Bookmakers,509 Falls Road,Belfast,Antrim,BT12 6DE,  
 The Owner/Occupier,  
 Macauleys Butchers,424 Falls Road,Belfast,Antrim,BT12 6EN,  
 The Owner/Occupier,  
 Shop,9b ,Whiterock Road,Belfast,Antrim,BT12 7PF,

**Date of Last Neighbour Notification**

6th July 2018

**Date of EIA Determination**

N/A

**ES Requested**

No

**Planning History**

Ref ID: LA04/2018/1299/PAD

Proposal: Visitor centre

Address: 511 Falls Rd, Belfast, BT12 6DE

Decision: Concluded

Ref ID: Z/2014/0602/LBC

Proposal: Enhancement works to the existing walls and railings to include: cleaning, repainting, infilling masonry gaps and repointing when required. Blue limestone paving treatment is proposed at the occasional use entrance. Recessed uplighters are proposed at both entrances.

Address: Belfast City Cemetery, 511 Falls Road, Ballymurphy, Belfast, Co.Antrim, BT12 6DE,

Decision: CG

Decision Date: 12.06.2014

Ref ID: Z/2003/2254/LB

Proposal: Extension and alterations to gate lodge

Address: 511 Falls Road, Ballymurphy, Belfast, Northern Ireland, BT12 6DE

Decision:

Decision Date: 28.10.2003

Ref ID: Z/2003/2256/F

Proposal: Single Storey extension and alterations to Gate Lodge

Address: Belfast City Cemetery, 511 Falls Road, Belfast

Decision:

Decision Date: 28.10.2003

**Drawing Numbers and Title**

Drawing No. 01  
Type: Site Location Plan  
Status: Submitted

Drawing No. 02  
Type: Existing Plans and Elevations  
Status: Submitted

Drawing No. 03  
Type: Existing Elevations  
Status: Submitted

Drawing No. 04  
Type: Proposed Site Plan  
Status: Submitted

Drawing No. 05  
Type: Proposed Plans and Elevations  
Status: Submitted

Drawing No. 06  
Type: Proposed Elevations  
Status: Submitted

Drawing No. 07  
Type: Proposed Sections  
Status: Submitted