

Committee Application

Development Management Report	
Application ID: LA04/2017/1012/F	Date of Committee: 16 October 2018
Proposal: Demolition of existing buildings and development of 22No. dwellings (12 No. apartments in 1 block, 8 No. semi-detached and 2 No. bungalows) associated planting and new access onto Beersbridge Road (Amended Description and Site boundary)	Location: Lands to the west of Owen O'Cork Mill, 288 Beersbridge road, Belfast
Referral Route: Proposal is for over 12 dwellings with one representation that conflicts with the Case Officer recommendation.	
Recommendation:	APPROVAL
Applicant Name and Address: Radius Housing Association 3 Redburn Square Holywood BT18 9HZ	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
<p>Executive Summary:</p> <p>The proposal is 'Demolition of existing buildings and development of 22No. dwellings (12 No. apartments in 1 block, 8 No. semi-detached and 2 No. bungalows) associated planting and new access onto Beersbridge Road'.</p> <p>No objections have been received from members of the public, however Historic Environment Division, a statutory consultee, have issues with the proposal due to its impact on the adjacent listed Mill Building.</p> <p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> • Principle of development • Impact on character and density of the surrounding area • Impact on adjacent listed building • Design, scale and massing • Impact on residential amenity • Impact on traffic and parking • Impact on flood risk and sewage infrastructure • <p>It is considered that the proposal is acceptable on balance and approval is recommended, subject to conditions. It is requested that final conditions are delegated to the Director of Planning & Place.</p>	

Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	Demolition of existing buildings and development of 22No. dwellings (12 No. apartments in 1 block, 8 No. semi-detached and 2 No. bungalows) associated planting and new access onto Beersbridge Road (Amended Description and Site boundary).
1.2	The proposal includes a 2.5 storey apartment block fronting onto the Beersbridge Road. There are 8 semi-detached dwellings located to the rear of the apartment block, with 2 bungalows located further along and at the rear of the site.
2.0	Description of Site
2.1	The site is located within the settlement limit of Belfast and measures approximately 0.44 Hectares. There is currently two buildings on site and a large yard area to the rear. The buildings are located at the front of the site, with an existing vacant, single storey commercial building located facing the road and another single storey building presented gable end to the road and attached to an adjacent Mill Building.
2.2	The Mill Building, known as Owen O’Cork Mill, is located to the North East of the site and an existing residential development is located to the South West. Owen O’Cork Mill is a Grade B2 Listed Building (ref. HB26/10/006). The surrounding area is characterised primarily by residential development. In addition to this, the Mill building is currently in use for various commercial enterprises and there is a filling station on the opposite side of the Beersbridge Road.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	Z/2006/0605/F & Z/2006/0604/LB - Mixed use commercial and residential (141 no. apartments) in refurbished Mill and 4 no new blocks, plus 191 parking spaces to be provided with all associated access requirements – Permission Granted 5/3/2008.
3.2	Z/2001/2802/F - 3 No. Units for Storage and Distribution – Permission Granted 15/3/2005.
3.3	Z/1999/0667 - Erection of warehouse plus associated car parking – Permission Granted 20/10/2000.
3.4	Z/1996/0766 & Z/1996/0741 - Alterations to existing warehouse to provide nine warehouse units – Permission Granted.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (dBMAP)
	4.1.1 White land - BUAP
	4.1.2 BT 11/02 – Existing Employment / Industry (Beersbridge Road) – dBMAP
4.2	Strategic Planning Policy Statement (SPPS) Planning Policy Statement 3: Access, Movement and Parking

	<p>Planning Policy Statement 4: Planning and Economic Development Planning Policy Statement 6: Planning, Archaeology and the Built Heritage Planning Policy Statement 7: Quality Residential Environments Planning Policy Statement 7 Addendum: Safeguarding the character of Established Residential Areas Planning Policy Statement 12: Housing in Settlements Planning Policy Statement 15: Planning and Flood Risk</p>
4.3	<p>Other Material Considerations: Creating Places Parking Standards DCAN 8 Housing in Existing Urban Areas</p>
5.0	Statutory Consultees Responses
5.1	NIEA – Water Management Unit, Land & Groundwater Team and Natural Environment Division – No objections, subject to conditions
5.2	DFI Roads – Awaiting response. Previous responses indicate DFI Roads are content in principle.
5.3	NI Water – No objection
5.4	Historic Environment Division – Objection to the proposed development. Summary of issues at Para 8.11
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection, subject to conditions
6.2	Rivers Agency – No objection.
7.0	Representations
7.1	No representations have been received.
8.0	Assessment
8.1	<p>The key issues in the assessment of this proposed development include:</p> <ul style="list-style-type: none"> - Principle of development - Impact on character and density of the surrounding area - Impact on adjacent listed building - Design, scale and massing - Impact on residential amenity - Impact on traffic and parking - Impact on flood risk and sewage infrastructure
8.2	<p><u>Preliminary Matters</u> The proposal is closely linked with LA04/2017/2321/LBC for 'Demolition of the existing single storey industrial unit partially connected to Owen O'Cork Mill'. This application is currently under consideration. Additional information was recently submitted by the applicant and a further consultation with Historic Environment Division (HED) will take place.</p>
8.3	<u>Development Plan</u>

	<p>Section 45 (1) of the Planning Act (Northern Ireland) 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. The site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.</p>
8.4	<p>The site is not designated in the BUAP. The site is designated as 'Existing Employment / Industry' (ref. BT11/02) within dBMAP. The PAC considered objections to the zoning at Public Inquiry stage and did not recommend any change to the Plan. It is noted that the zoning was removed altogether from the adopted BMAP and the site is considered 'whiteland'.</p>
8.5	<p><u>SPPS</u></p> <p>The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. The SPPS places emphasis on supporting good design and positive place making. It also advises that new housing developments should respect the local character and environmental quality as well as safeguarding amenity of existing residents. The SPPS aims to promote more sustainable housing development within existing urban areas and places emphasis on increasing housing density within settlements. The SPPS advises that the use of greenfield land for housing should be reduced and more urban housing should be accommodated through the recycling of land and buildings. The SPPS advises that proposals impacting upon listed buildings and their settings should be assessed paying due regard to their intrinsic value and contribution to the character and quality of settlements. Para 6.89 of the SPPS states that planning permission should not normally be granted for proposals that would result in the loss of land zoned for economic development use.</p>
8.6	<p><u>Principle of Development</u></p> <p>As already indicated, the site is not zoned or designated in the BUAP, however it is zoned as 'Existing Employment / Industry' in dBMAP. Policy PED 7 of PPS 4 is applicable to the site. The BUAP is the extant development plan for the area, where the site is undesignated 'white land'. The site is designated as an area of 'existing employment / industry' in dBMAP which is a material consideration. It is also noted that the zoning was removed and the site returned to 'white land' in the adopted BMAP. It is not clear from the BMAP adoption statement why this zoning was amended.</p>
8.7	<p>Policy PED 7 of PPS 4 states that development resulting in the loss of land / buildings zoned for economic development use in a development plan to other uses will not be permitted. It is considered that this policy test does not apply to the site because the site is undesignated 'white land' in the extant Plan.</p>
8.8	<p>The second test of PED 7 relating to unzoned land will therefore be applied to the proposal. It seeks to prohibit the loss of existing Class B2, B3 and B4 uses on unzoned land. It appears that the buildings along the front of the site were last used for retail, which is not included within any of the above use classes. The linear shed adjacent to the Mill Building in the eastern portion of the site appears to have been in use previously for car repairs, a Class B3 use. The wider site does not have any existing buildings, as the previous building was demolished circa 2015/16. This part of the site appears to have been previously used for the storage of cars. It is not clear whether the cars were in general storage, stored as scrap or for sale, and therefore difficult to determine the Use Class as B4 or sui generis. Whilst the proposal does not fully</p>

	comply with the tests of PED 7, the site is bounded on the western and northern sides by residential development meaning retention of an economic development use on the site may have an adverse impact on the character and amenity of the surrounding area. The NIHE have also confirmed support of the proposal for social housing in the area.
8.9	Based on the above and the likelihood that the land would remain as white land in the final adopted BMAP, it is considered that the principle of residential development is on balance acceptable.
8.10	<u>Character and Impact on Listed Building</u> The proposal should respect the surrounding context and be appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings. The site lies adjacent to an existing listed building, therefore this is a key consideration when assessing the surrounding character. Policy QD1 also states that features of the built heritage should be identified, protected and integrated into the overall design and layout of the proposal. PPS 6 provides the policy tests for proposed development affecting the setting of a listed building.
8.11	The Council consulted with HED on the proposal. HED are content with the principle of residential development on the site, but have concerns that the domestic character of the buildings are incongruous with the industrial character of the mill complex. HED welcome the amendment to the gable end of the proposed apartment building, however concerns regarding fenestration treatments and interruption of the eaves lines with dormer windows remain. HED state that the row of semi-detached dwellings is preferable as one block, however it is accepted that the proposed will read as a consistent row of development of uniform scale, height and alignment. HED also have concerns regarding the two proposed single storey dwellings at the rear of the site. HED advise that this should be one block at the end of the vista, rather than two individual dwellings, which will be out of character with the industrial setting.
8.12	The listed building is located to the north east of the site. There is a residential development located to the south west, including a 3 storey apartment block with a hipped roof. The site is quite unique as it is located in an area where an industrial character is prevalent on one side and a residential character is prevalent on the other. Development on the adjacent side of the Beersbridge Road and at the rear of the site is characterised by residential development, primarily small terraced dwellings. The apartment building at the front of the site will dominate the main public viewpoints of the site from the Beersbridge Road. This building is located approximately 14.5 metres away from the adjacent listed Mill building, with a ridge height of 12.9 metres from ground level. The Mill Building measures approximately 20 metres in height, with ground level slightly higher than the adjacent proposed apartment building. It is also noted that due to the topography of the site and surroundings, the ridge height of the proposed apartment building will be lower than the ridge of the existing flat roof two storey building on the opposite side of the Mill Building, which is part of the overall Mill complex. It is considered that the proposed apartment building will appear subordinate relative to the Mill Building. Furthermore, the proposal includes the removal of the building directly beside the Mill Building, therefore giving the south western elevation of the Mill Building greater visual presence from short range views. The fenestration treatment of the proposed apartment building will correlate with the adjacent apartment building at No. 315-321 Beersbridge Road. Furthermore, the proposed windows have a shallow elliptical detail which is respectful of the windows on the flat roof two storey building situated to the north east of the main Mill Building and fronting on to the Beersbridge Road.
8.13	On balance, it is considered that the proposed development respects the surrounding context, is appropriate to the character and topography of the site and respects the adjacent listed building.

8.14	<p><u>Open Space</u></p> <p>Adequate open space has been provided for the 8 semi detached dwellings and 2 bungalows. Communal open space has been provided around the apartment building, however it is limited in terms of space and privacy. The site is located approximately 100 metres from the Connswater Greenway, which alleviates potential concerns regarding amenity space for the apartments.</p>
8.15	<p><u>Archaeology</u></p> <p>HED Historic Monuments had initial concerns that the proposal may impact on industrial heritage remains, associated with the historic use of the mill. Following submission of an archaeological assessment, HED is content that the proposal is in accordance with the SPPS and PPS 6 in relation to archaeological requirements.</p>
8.16	<p><u>Facilities</u></p> <p>The site is located in close proximity to services and facilities and there is no requirement to provide integral neighbourhood facilities.</p>
8.17	<p><u>Landscaping</u></p> <p>BCC Tree Officer was consulted on the proposal. There is 1 mature tree, which appears to be an Acer species located adjacent to the pedestrian street; the tree is approx. 14m-15m in height with a single stem to 4m-5m then becomes twin stemmed. This tree will have to be removed to facilitate the access.</p>
8.18	<p>The scheme proposes approx. 35 x extra heavy standard trees to be planted of mixed species. These trees should help create and add a sense of character and visual amenity offering to the scheme. The tree officer provided conditions to be imposed, in the event of approval.</p>
8.19	<p><u>Movement Pattern / Access</u></p> <p>An acceptable movement pattern is proposed with access for cyclists and pedestrians. The entrance to Connswater Greenway is located approximately 100 metres from the site therefore providing an effective link to the City Centre and beyond. The proposed development is also located in an accessible location with adequate access to public transport.</p>
8.20	<p>DFI Roads are content with the principle of the development, however a final consultation response has not yet been received.</p>
8.21	<p><u>Residential Amenity</u></p> <p>It is considered that the proposed development does not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.</p>
8.22	<p><u>Drainage</u></p> <p>A drainage assessment was required for the proposal in accordance with Policy FLD 3 of PPS 15. Rivers Agency have no objection to the proposal, however advise that responsibility for the accuracy, acceptance and implementation of the proposed flood risk measures rests with the developer.</p>
8.23	<p><u>Natural Environment</u></p> <p>Following submission of a 'Bat survey & Impact assessment', NIEA Natural Environment Division (NED) have no concerns with the proposal as there was no evidence of bats using the buildings on site for roosting and that the overall site has negligible-low utility for bats. NED also welcomes recommendations in the report regarding planting, appropriate lighting and insect / bat boxes, advising that these recommendations are incorporated into the development. In the event of approval, this can be dealt with by a negative condition.</p>

<p>8.24</p>	<p><u>Contamination</u> Following consideration of an 'Environmental Site Assessment and Generic Quantitative Risk Assessment' and a 'Remedial Strategy', BCC Environmental Health and NIEA have no objection to the proposed development, subject to condition and informatives.</p>
<p>8.25</p>	<p><u>Other Consultee issues</u> Water Management Unit and NI Water have no objection to the proposed development.</p>
<p>9.0</p>	<p>Summary of Recommendation: Approval</p>
<p>9.1</p>	<p>The site was previously used for a mix of uses, including retail, car repairs and what appears to be car storage. The proposed development does not fully comply with Policy PED 7 of PPS 4, however this is balanced against the recognised need for social housing as identified by NIHE and the adjacent residential areas to the north and west, which may experience a negative impact to character and amenity if the site was to be re-used for economic development. On balance, it is considered that the principle of residential development is acceptable.</p>
<p>9.2</p>	<p>The site is located adjacent to a Mill Building; HED have issues with the proposed redevelopment, however it is considered that the proposal respects the surrounding context, is appropriate to the character and topography of the site and respects the adjacent listed building.</p>
<p>9.3</p>	<p>It is considered that the proposal is acceptable on balance and approval is recommended, subject to conditions. It is requested that final conditions are delegated to the Director of Planning & Place.</p>
<p>10.0</p>	<p>Conditions</p>
<p>10.1</p>	<p>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>10.2</p>	<p>The development hereby permitted shall not be occupied until the remediation measures as described in the RSK (Ireland) Ltd, Remedial Strategy, Lands to the West of Owen O'Cork Mill, Beersbridge Road, Belfast, Co. Antrim, Ref: 601500-R2(00) dated September 2016, have been implemented to the satisfaction of the Planning Authority. The Planning Authority must be given 2 weeks written notification prior to the commencement of remediation work.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p>
<p>10.3</p>	<p>If during the development works, new contamination and/or new risks are encountered which have not previously been identified, works should cease and the Council shall be notified immediately. Any 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 Council in writing, and subsequently implemented and verified to its satisfaction.</p> <p>Reason: Protection of human health and environmental receptors to ensure the site is suitable for use.</p>
<p>10.4</p>	<p>Prior to commencement of development, an on-site asbestos survey must be conducted and the findings and recommendations submitted to the Council for approval.</p>

<p>10.5</p>	<p>Reason: Protection of human health.</p> <p>Prior to the occupation of the proposed development, the applicant shall provide to the Council, for approval, a Verification Report. The Verification Report shall demonstrate the successful completion of remediation works outlined in the RSK report titled: 'Remedial Strategy – Lands to the West of Owen O’Cork Mill, Beersbridge Road, Belfast, Co. Antrim', dated September 2016, report no. 601500-R2(00) and that the site is now fit for end-use (residential with plant uptake). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency.</p> <p>This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). 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>In particular, this Verification Report must demonstrate:</p> <p>(a) Emplacement of a capping layer across all proposed gardens and landscaped areas of the site to a depth of at least 0.8m, comprising 0.6m of demonstrably clean material and 0.2m of clean topsoil. The imported material shall be demonstrably suitable for residential with plant uptake land use;</p> <p>(b) That a suitable geotextile membrane (or equivalent) marker has been installed at the base of the capping layer to warn future residents of the possible presence of asbestos in underlying soils. The membrane should be installed across all areas of landscaping/gardens and parallel layers should be suitably secured or overlapped by at least 0.2m;</p> <p>(c) That gas protection measures in line with CIRIA’s C665 Characteristic Situation 2 and BS8485:2015 have been incorporated into the proposed new residential buildings on site and that a gas protection score of 3.5 has been attained as per BS8485:2015 and must include installation of a vapour resistant gas membrane.</p>
<p>10.6</p>	<p>Reason: Protection of human health and protection of environmental receptors to ensure the site is suitable for use.</p> <p>No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, have been submitted to and approved, in writing, by the Council. The development shall be carried out in accordance with the approved details.</p>
<p>10.7</p>	<p>Reason: In the interests of visual amenity and to allow the Council to control the external appearance.</p> <p>No site works of any nature or development shall take place until details of Insect Hotels, Bats Boxes and an appropriate lighting scheme, as recommended in Chapter 6 of the submitted 'Bat <i>Vespertilionidae spp.</i> Survey & Impact Assessment' have been submitted to and approved by the Council.</p>
<p>10.8</p>	<p>Reason: Protection of the Natural Environment.</p> <p>All soft landscaping works shall be carried out in accordance with the approved details on Drawing No. 09 date stamped 5th March 2018. The works shall be carried out prior to the</p>

	<p>occupation of the first dwelling unless otherwise agreed in writing by the Council. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council.</p> <p>Reason: In the interests of the character and appearance of the area</p> <p>10.9 All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council.</p> <p>Reason: In the interests of visual amenity</p> <p>10.10 Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site, and must be in place before any materials or machinery are brought onto site for demolition, development or soil stripping. Protective fencing must remain in place until all work is completed and all associated materials and equipment are removed from site.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.</p> <p>10.11 If roots are accidentally damaged the tree council must be notified and given the opportunity to inspect the damage before it is covered over.</p> <p>Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by existing trees / hedging.</p> <p>10.12 No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.</p> <p>Reason: To avoid compaction within the RPA.</p>
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Notification to Department (if relevant) N/A

Representations from Elected members: - N/A