

Public Document Pack

**Democratic Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

14th February, 2017

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item will also be considered at the meeting to be held at 5.00 pm on Tuesday, 14th February, 2017.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

11. Planning Applications

- (v) LA04/2016/1691/F - Belfast Rapid Transit Hub and Engineering Works with garage, workshops, spray booth and stores on ground and mezzanine floor; associated staff facilities (toilets, lockers and canteen on ground, mezzanine and first floor; ancillary office accommodation on first and second floor (three floors in total), bus wash, security office, bus staff parking and other ancillary development. (Pages 1 - 12)

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Development Management Officer Report Committee Application

| Summary | |
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| Committee Meeting Date: 14 February 2017 | |
| Application ID: LA04/2016/1691/F | |
| Proposal: Belfast Rapid Transit Hub and Engineering Works with garage, workshops, spray booth and stores on ground and mezzanine floor; associated staff facilities (toilets, lockers and canteen on ground, mezzanine and first floor; ancillary office accommodation on first and second floor (three floors in total), bus wash, security office, bus staff parking and other ancillary development. | Location: Site opposite (south east of) 48 Duncrue Street Belfast BT3 9AR |
| Referral Route: Major Application | |
| Recommendation: | |
| Applicant Name and Address: Translink/ Michelle Alcom 3 Milewater Road Belfast BT3 9BG | Agent Name and Address: Gregory Architects 4 Crescent Gardens Belfast BT7 1NS |
| <p>Executive Summary: The proposal is for a Belfast Rapid Transit Hub and Engineering Works with garage, workshops, spray booth and stores on ground and mezzanine floor; associated staff facilities (toilets, lockers and canteen on ground, mezzanine and first floor; ancillary office accommodation on first and second floor (three floors in total), bus wash, security office, bus staff parking and other ancillary development.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> - The acceptability of proposed use - Scale, Massing and Design - Contamination - Impact on amenity - The impact on existing roads infrastructure/ acceptability of access arrangements - Contamination - Potential impact on Natural Heritage, including Belfast Lough Special Protection Area - Flooding <p>The proposed site is located at Duncrue Street within the harbour area and comprises of vacant land last used for storage of haulage containers and coal.</p> <p>The site is located within an existing employment zoning in BMAP, BHA06 within the Harbour estate complex. BHA06 does not preclude other uses as <i>acceptable uses including Class B1</i>. Proposals other than B1 therefore require assessment based on their individual merits. In broad terms, the proposal constitutes an employment use and would not therefore be at odds with, or prejudice the plan zoning. In addition, the proposal would bring forward important infrastructure to support the new rapid public transport for the city. This needs to be weighed in the planning</p> | |

balance.

In relation to the layout and scale/ massing of the proposal, the building is located back off the public footpath and is of a scale and form that would not appear out of place in this established industrial area, with a number of large warehouse style buildings of mixed design.

In relation to traffic, access, and parking issues, Transport NI was consulted and is satisfied with the traffic, parking and access arrangements. Accordingly the proposal is considered compliant with requirements in PPS3 and associated guidance.

Environmental Health has no objection subject to conditions, and the proposal will not result in an unacceptable impact in terms of noise, air quality, or related issues. NIEA have no objections in terms of contamination. NI Water and Rivers Agency have no objection in relation to sewerage or flooding.

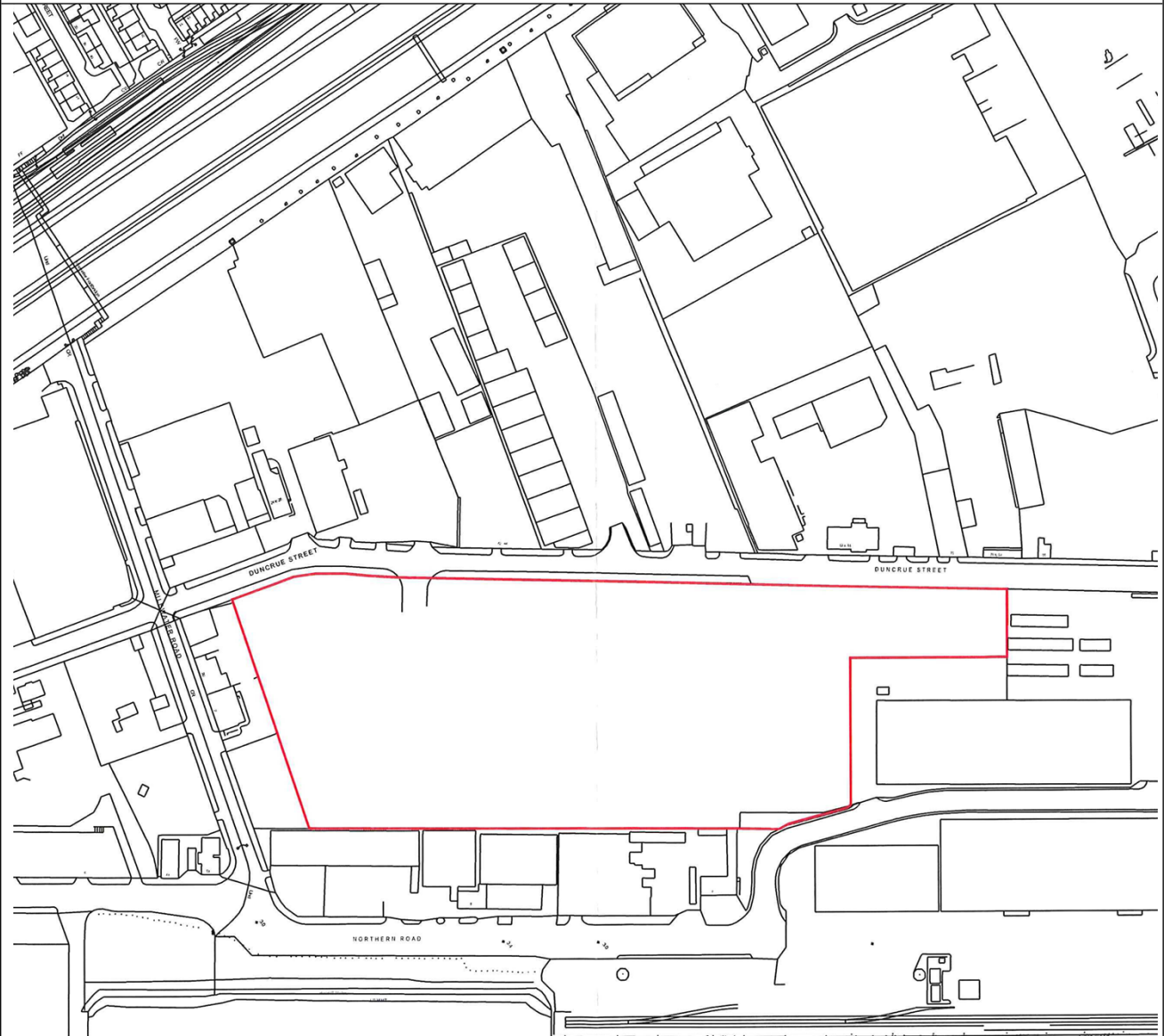
A final response from the Shared Environmental Services team remains outstanding in relation to the completion of a Habitats Regulations Assessment, required given the site's proximity to Belfast Lough SPA/ Ramsar Sites.

No representations have been received.

The Planning Committee is asked to give the Director of Planning and Place delegated authority to approve the application, including dealing with the issue around the Habitats Regulations Assessment and framing conditions.

Case Officer Report

Site Location Plan



1.0

Description of Proposed Development

Erection of Belfast Rapid Transit Hub and Engineering Works with garage, workshops, spray booth and stores on ground and mezzanine floor; associated staff facilities (toilets, lockers and canteen on ground, mezzanine and first floor; ancillary office accommodation on first and second floor (three floors in total), bus wash, security office, bus staff parking and other ancillary development.

The main building is located centrally on the site and approximately 20m from the edge of Duncrue Street, with a secondary bus wash and refuelling building located a short distance south-west of this. The main building is approximately 65m long and 23m deep, 3 storeys high with a flat roof and staggered ridge.

The proposed floor area is approximately 11,400 square metres, over three floors of accommodation and comprises of;

- garages, workshops for the repair and maintenance of buses, engine and machine repairs and metal fabrication with associated storage
- located on both ground and first floors (extending to 8,266.3 square metres)

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| | <p>Parking for 145 buses and washing facilities</p> <ul style="list-style-type: none"> Meeting rooms and ancillary office accommodation located on the first and second floor (extending to 1,255.7 square metres) Staff facilities including toilets, lockers, canteen, gym and lounge areas over three floors (extending to 1,871.9 square metres) A total of 191 staff car parking spaces |
| 2.0 | <p>Description of Site 3.7Ha brownfield site located on falling land off Duncrue Street, enclosed by a 2m high wooden panel fence. The site was last used for storage with a large number of haulage containers occupying the site, and also coal. There are no buildings on the site. The site is located within the Belfast Harbour Area on land zoned as Existing Employment.</p> |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 | <p>Site History No recent planning history on site</p> |
| 4.0 | Policy Framework |
| 4.1 | Belfast Metropolitan Area Plan 2015 |
| 4.2 | <p>SPPS Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 2 – Natural Heritage Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 4 – Planning and Economic Development Planning Policy Statement 15 – Planning and Flood Risk</p> |
| 5.0 | <p>Statutory Consultees Transport NI – No objection subject to conditions NI Water – No objection NIEA Waste Management Unit – No objection subject to conditions NIEA Water Management Unit - No objection Shared Environmental Services – Await final response Rivers Agency – No objection</p> |
| 6.0 | <p>Non-Statutory Consultees Environmental Health BCC – No objection subject to conditions</p> |
| 7.0 | <p>Representations None Received</p> |
| 8.0 | <p>Other Material Considerations DCAN 15 – Vehicular Access Standards</p> |
| 9.0 | Assessment |
| 9.1 | <p>The key issues in the assessment of the proposed development include:</p> <ul style="list-style-type: none"> The acceptability of proposed use Scale, Massing and Design Impact on amenity The impact on existing roads infrastructure/ acceptability of access arrangements Contamination Potential impact on Natural Heritage, including Belfast Lough Special Protection Area Flooding |

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| 9.2 | <p>The Acceptability of proposed use</p> <p>The site is located within an existing employment zoning in BMAP, BHA06 within the Harbour estate complex. BHA06 states acceptable uses include Class B1 Business [a], [b], and [c], subject to [a] being within Sydenham business park and an overall restriction to 5000sqm of type [a] offices.</p> |
| 9.3 | <p>BHA06 therefore does not preclude other uses as <i>acceptable uses including Class B1</i>. Proposals other than B1 therefore require assessment based on their individual merits. The proposed use, which could be considered as a depot, is sui generis and would not fall directly within a specific use class. In broad terms, the proposal constitutes an employment use and would not therefore be at odds with, or prejudice the plan zoning.</p> |
| 9.4 | <p>Similarly the proposed use would not be viewed as a loss of employment land as per PED7 of Planning Policy Statement 4. The Policy also states that an exception will be permitted for the development of a <i>sui generis</i> employment use within an existing or proposed industrial/employment area where it can be demonstrated that: the proposal is compatible with the predominant industrial use; it is of a scale, nature and form appropriate to the location; and provided approval will not lead to a significant diminution of the industrial/employment land resource in the locality and the plan area generally. As stated above the proposal constitutes an employment use and thus would certainly not lead to a significant diminution of the employment land, especially considering the last use on the site was for storage. Moreover, the proposal would bring forward important infrastructure to support the new rapid public transport for the city. This needs to be weighed in the planning balance. The issues of scale and form, and compatibility with adjacent uses shall be discussed under paragraphs 9.5 and 9.6 respectively.</p> |
| 9.5 | <p>Scale, Massing and Design</p> <p>The scale and form of the building with its elongated form and flat roof will not appear alien in this industrial area, in fact a building of similar scale and proportions is located a short distance south-west of the site at the junction of Milewater Road and Duncrue Street (Midland Carpet Distributors), this existing building also has a more prominent road frontage location. Buildings of a larger scale, certainly in terms of footprint, are located to the south of the site onto Northern Road. The proposed grey metallic panelling should ensure the building does not appear unduly dominant and adds a more contemporary take on the standard industrial/ warehouse style buildings in the area.</p> |
| 9.6 | <p>Impact on Amenity</p> <p>Environmental Services Department have not raised any specific concerns with regard to the impact the proposal would have on the amenity of surrounding properties, nor with regard to the compatibility of the proposed use with adjacent industrial noise/ odour generating uses. The retention and/or extension of adjacent uses should not be prejudiced by the introduction of the proposed use at this location, nor should the proposed use suffer any significant loss of amenity as a result of its juxtaposition with adjoining uses.</p> |
| 9.7 | <p>Impact on existing roads infrastructure/ acceptability of access arrangements</p> <p>The Transport Assessment (TA) examined the likely parking requirement by considering both the guidance within PPS 3 Parking Standards and surveying parking behaviour at Milewater Road. This approach indicated that provision of 191 spaces should be adequate. TransportNI would find this acceptable. Based on the information supplied by the TA the development is not expected to have an unacceptable impact on road safety.</p> |
| 9.8 | <p>The Sightlines for the new access are to full DCAN 15 requirements and therefore also acceptable.</p> |

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| 9.9 | <p>TransportNI considers that the TA has adequately considered the total traffic impact of the proposal. This will not have significant implications for the network in terms of road safety and the design of the road.</p> |
| | <p>Based on the results of this TA process TransportNI finds this proposal acceptable subject to the site access and layout and Travel Plan being part of any Planning Service Conditions. The proposed conditions are detailed below at 11.2-11.5.</p> |
| | <p>Contamination</p> |
| 9.10 | <p>The Pentland Macdonald Ltd Contamination Assessment & Remediation Strategy has identified that site has poor land quantity and the location is prone to ground gases. The report recommends that it would be necessary to install two or more of the following measures in proposed buildings in order to achieve the required gas protection scores:</p> <ul style="list-style-type: none"> • Reinforced poured in-situ concrete floor slabs • A proprietary gas resistant membrane • A passively ventilated under floor void (various possible designs would typically be acceptable such as: clear void, gravel-filled void or geocomposite / polystyrene void former) |
| 9.11 | <p>With specific regard to the gas resistant membrane, it should be ensured that the membrane's integrity withstands the construction process; joints and service penetrations are lapped and sealed; and any other manufacturer's recommendations are adhered to.</p> |
| 9.12 | <p>Environmental Health Department have recommended that on the basis of the information submitted and in the event that planning permission is to be granted, a number of conditions are attached to the decision notice. These conditions are detailed below at 11.6 and 11.7 below.</p> |
| 9.13 | <p>Some ground and groundwater contamination by hydrocarbons and metals has been identified in parts of the site however no unacceptable risks are likely to environmental receptors. NIEA Waste Management Land and Groundwater Team have no objections to the development provided conditions are placed on any Planning Decision Notice as recommended. These conditions are detailed below at 11.7 and 11.8.</p> |
| | <p>Potential impact on Natural Heritage, including Belfast Lough Special Protection Area</p> |
| 9.14 | <p>This planning application is considered in light of the assessment requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) by Shared Environmental Service on behalf of Belfast City Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.</p> |
| 9.15 | <p>Having considered the nature, scale, timing, duration and location of the project, it was concluded that further information was required to assess potential impacts on the selection features, conservation objectives and status of Belfast Lough SPA/Ramsar.</p> |
| 9.16 | <p>SES, in order to complete a Habitats Regulations Assessment on the proposal, would need to see a site drainage plan (as indicated by NIEA Water Management Unit in their response (02/09/2016)).</p> |
| 9.17 | <p>The reason for needing this information is that the proposal documents state surface water disposed of, to existing surface water mains system. There was no information available on the destination of these existing surface water drain systems. Therefore, it was not possible to rule out some of the existing surface water draining discharge into the</p> |

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| <p>9.18</p> <p>9.19</p> | <p>adjacent harbour which is directly connected to Belfast Lough SPA/Ramsar Sites. A Drainage Plan has now been submitted as part of the Drainage Assessment and is with the Shared Environmental Services for comment. Delegated authority is sought for the Director of Planning and Place to deal with this matter.</p> <p>Flooding The Flood Hazard Map (NI) indicates that the site does not lie within the 1 in 100 year fluvial or 1 in 200 year Coastal Flood Plain. However the Surface Water Map indicates that there is a potential for the site to be affected by surface water flooding. In accordance with revised PPS 15 FLD 3, due to the size and nature of the development a Drainage Assessment was submitted for consideration.</p> <p>The Drainage Assessment proposes the part abandonment of a section of existing storm sewer & design and installation of a new storm sewer. Assuming these mitigation measures are implemented then Rivers Agency, while not being responsible for the preparation of the report accepts its logic and has no reason to disagree with its conclusions.</p> |
| <p>10.0</p> <p>10.1</p> <p>10.2</p> <p>10.3</p> <p>10.4</p> | <p>Summary of Recommendation:</p> <p>The site is located within an existing employment zoning in BMAP, BHA06 within the Harbour estate complex. BHA06 does not preclude other uses as <i>acceptable uses include Class B1</i>. Proposals other than B1 therefore require assessment based on their individual merits. In broad terms, the proposal constitutes an employment use and would not therefore be at odds with, or prejudice the plan zoning. Moreover, the proposal is critical infrastructure to support the new rapid public transport for the City and this needs to be weighed in the planning balance.</p> <p>In relation to the layout and scale/ massing of the proposal, the building is located some distance from the edge of Duncrue Street and is of a scale and form that would not appear out of keeping with the character of this established industrial area, with a number of large warehouse style buildings of mixed design.</p> <p>No objections have been offered from Statutory and non-statutory consultees. We await a response from Shared Environmental Services team in order to complete a Habitats Regulations Assessment, no major issues are anticipated.</p> <p>The Planning Committee is asked to give the Director of Planning and Place delegated authority to approve the application, including dealing with the issue around the Habitats Regulations Assessment and framing conditions.</p> |
| <p>11.0</p> <p>11.1</p> <p>11.2</p> | <p>Conditions</p> <p>As required by Article 34 of the Planning (Northern Ireland) Order 1991, 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> <p>The development hereby permitted shall not become operational until the vehicular accesses, have been constructed in accordance with the approved layout Drawing No. 11 'Proposed Access General Arrangement' bearing the Belfast City Council Planning Office date stamp 17 January 2017. 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</p> |

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| | <p>carriageway and such splays shall be retained and kept clear thereafter.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> |
| <p>11.3</p> | <p>The gradients of the access roads shall not exceed 4% (1 in 25) over the first 10 m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.</p> <p>Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road user.</p> |
| <p>11.4</p> | <p>The development hereby permitted shall not become operational until no more than 191 car parking spaces, 141 bus spaces, and hard surfaced areas for manoeuvring have been constructed in accordance with the approved layout Drawing No. 11 'Proposed Access General Arrangement' bearing the Belfast City Council Planning Office date stamp 17 January 2017 to provide adequate facilities for parking, servicing and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time than for the parking and movement of vehicles.</p> <p>Reason: To ensure that adequate provision has been made for parking.</p> |
| <p>11.5</p> | <p>The development hereby permitted shall operate in accordance with the Travel Plan bearing the Belfast City Council Planning Office date stamp 21 December 2016. Eastern Division Hydebank 4 Hospital Road BELFAST BT8 8JL</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p> |
| <p>11.6</p> | <p>The applicant, on completion of the works and prior to the occupation of the proposed development, shall provide to the Belfast City Council, for approval, a Verification Report. This report must demonstrate that the remedial measures as outlined in the Section 6.3 of the Pentland Macdonald Ltd Contamination Assessment & Remediation Strategy Proposed Translink Central Workshop and Stores Development at Duncrue Street, Report No. PM15-1219 have been completed.</p> <p>The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end use. It must demonstrate that the identified contaminant-pathway-target linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular the Verification report must demonstrate that:</p> <ul style="list-style-type: none"> • Gas and vapour protection measures commensurate with Gas Characteristic of site, have been designed and installed in accordance with, BS 8485:2015 and their installation has been verified in line with Ciria C735. • Ventilation on the sub- floor void should be designed to provide a minimum of one complete volume change per 24 hours |

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| | <ul style="list-style-type: none"> • All joints and penetrations sealed <p>Reason: Protection of human health.</p> <p>11.7 If during the development works, new contamination and risks are encountered which have not previously been identified, works should cease and the Council be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11) and current best practice. A written report detailing the nature of this contamination and its management must be submitted to the Council for approval. 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.</p> <p>11.8 No development or piling work should commence on this site until a piling risk assessment has been submitted in writing and agreed with the Planning Authority. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” available at http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf.</p> <p>Reason: Protection of environmental receptors to ensure the site is suitable for use.</p> <p>Informatives</p> <p>The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation.</p> <p>The applicant is advised to ensure that all plant and equipment, used in connection with the development is so situated, operated and maintained as to prevent the transmission of noise to nearby offices.</p> <p>POLLUTION PREVENTION AND CONTROL (INDUSTRIAL EMISSIONS) REGULATIONS (NI) 2013.</p> <p>The applicant is advised that under the above legislation, an application for a Part C permit must be made to Belfast City Council.</p> <p>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 Rivers Agency. This should be obtained from the Eastern Regional Office at Ravarnet House, Altona Road, Largymore, Lisburn BT27 5QB.</p> <p>The purpose of the Conditions 11.7 and 11.8 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> |
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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.

Waste Management Unit 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.

| ANNEX | |
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| Date Valid | 5th August 2016 |
| Date First Advertised | 26th August 2016 |
| Date Last Advertised | 16th September 2016 |
| Details of Neighbour Notification (all addresses) 14 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9AS, 16 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9AS, 18 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9AS, 2 Herdman Channel Road, Low-Wood Intake, Belfast, Antrim, BT3 9LG, 20 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9AS, 22 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9AS, 24-28, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 27 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 2B Milewater Road, Low-Wood Intake, Belfast, Antrim, BT3 9AS, 3 Milewater Road, Skegoneill, Belfast, Antrim, BT3 9AS, 30-32, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 42-44, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AU, 48 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 48 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 5 Northern Road, Skegoneill, Belfast, Antrim, BT3 9AL, 6 Northern Road, Low-Wood Intake, Belfast, Antrim, BT3 9AL, 62-64, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 6A Northern Road, Skegoneill, Belfast, Antrim, BT3 9AL, 76-86, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 78 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 8 Northern Road, Low-Wood Intake, Belfast, Antrim, BT3 9AL, 86 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, 96 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, Blue Circle House, Northern Road, Low-Wood Intake, Belfast, Antrim, BT3 9AL, Brooks Belfast, 27 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AL, Northern Road, Low-Wood Intake, Belfast, Antrim, BT3 9AL, Store, 27 Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, UNIT 2, 68-74, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, Unit 1, 68-74, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, Unit 4, 68-74, Duncrue Street, Low-Wood Intake, Belfast, Antrim, BT3 9AR, Walker Eurosalt Ltd, Northern Road, Low-Wood Intake, Belfast, Antrim, BT3 9AL, Workshop, Milewater Road, Low-Wood Intake, Belfast, Antrim, BT3 9AS, | |
| Date of Last Neighbour Notification | 15th September 2016 |
| Date of EIA Determination | 31st August 2016 |
| ES Requested | No |

Drawing Numbers and Title

01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department: