

Committee Application

Development Management Officer Report	
Committee Meeting Date: 10th December 2024	
Application ID: LA04/2024/0475/F	
Proposal: Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas.	Location: Ulidia Resource Centre, Somerset Street, Ballynafoy, Belfast, BT7 2GS
Referral Route: Major Application	
Recommendation: Approval subject to conditions	
Applicant Name and Address: Claire Donnelly Scoil an Droichid 4 Cooke Street Belfast BT7 2EP	Agent Name and Address: Todd Architects Titanic House 6 Queens Road Belfast BT3 9DT
Date Valid: 18 th April 2024	
Target Date: 14 th November 2024	
Contact Officer: Ed Baker, Planning Manager (Development Management)	
Executive Summary: This application seeks the renewal of planning permission LA04/2018/1755/F for a 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. The key issues are: <ul style="list-style-type: none">• Principle of development• Visual impact of the proposed redevelopment• Impact on residential amenity• Impact on character of the area• Impact on transport infrastructure and road safety• Flood risk / Drainage• Health Impacts• Environmental Impact• Climate Change• Community Infrastructure The site is located within 'Lands reserved for Landscape, Amenity or Recreation Use' in the Belfast Urban Area Plan (BUAP) and whiteland within undesignated whiteland in the Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014). There are no objections from statutory or non-statutory consultees.	

2.0	Characteristics of the Site and Area
2.1	The site is located in South Belfast with two existing vehicle entrances from Cross Street (accessed off South Parade) and Somerset Street (accessed off the Ormeau Road). To the south and east of the site are playing pitches. The north and west of the site are characterised by established housing, mostly terraced.
2.2	The current site is vacant, previously the site of the Ulidia Resource Centre which was previously Ulidia Primary School. These have been demolished which was consented in the previous planning application. The site is relatively flat and contains metal railings along the Cross Parade elevation and railings and landscaping along the other elevations.
3.0	Description of Proposal
3.1	Renewal of planning permission ref: LA04/2018/1755/F. New 7 classroom primary school and single unit nursery on the former site of the now demolished Ulidia Primary School. Existing site entrances to be retained and used for site access with proposed car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas.
4.0	Planning Policy and Other Material Considerations
4.1	<p>Development Plan – Plan Strategy</p> <p><u>Belfast Local Development Plan: Plan Strategy 2035</u></p> <p>Policy DES1 – Principles of urban design Policy CI1 - Community Infrastructure Policy TRAN1 – Active Travel Policy TRAN2 – Creating an accessible environment Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 - Flood Risk Policy ENV5 – Sustainable Drainage Policy BH3 – Area of townscape character Policy OS1 – Protection of Open Space Policy TRE1 – Trees</p>
4.2	<p>Development Plan – zoning, designations and proposals maps</p> <p>Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)</p>
4.3	<p>Regional Planning Policy</p> <p>Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p>
4.4	<p>Other Material Considerations</p> <p>Developer Contribution Framework (BCC) Belfast Agenda (Community Plan) Creating Places (DfI)</p>

4.5	<p>Relevant Planning History</p> <ul style="list-style-type: none"> - LA04/2018/1755/F - Greenfield site with the former Ulidia Primary School to be demolished to allow for a new 7 classroom primary school, with two classroom LSU and single unit nursery. The existing site entrances to the west and north of the site are to be retained and used for site access, with all support accommodation to be contained within the boundary of site. The proposal includes a new road through the site, car parking, bus parking and drop off, footpaths, boundary treatment, and hard and soft play areas. Permission granted 12/06/2019
5.0	<p>Consultations and Representations</p>
5.1	<p>Statutory Consultations</p> <p>Dfl Roads – Content subject to conditions Dfl Rivers – a condition requesting submission of a final drainage assessment to be imposed. NI Water – Approval NIEA – Content subject to conditions</p>
5.2	<p>Non-Statutory Consultations</p> <p>BCC Environmental Health – Content subject to conditions Trees – Content subject to conditions</p>
5.3	<p>Representations</p> <p>The application has been advertised and neighbours notified. The Council has received a petition of objection signed by 18 addresses. The petition raises the following issues:</p> <ul style="list-style-type: none"> - Increased traffic volume and impact on congestion in Parkmore and Somerset Street. - Impact of increased traffic and congestion on road safety. <p>This issue raised has been fully assessed within the planning assessment section of the report, however the application is considered acceptable for the reasons set out in the below assessment.</p>
6.0	<p>PLANNING ASSESSMENT</p>
6.1	<p>Key Issues</p> <p>The key issues relevant to consideration of this application are:</p> <ul style="list-style-type: none"> • Principle of development • Visual impact of the proposed redevelopment • Impact on residential amenity • Impact on character of the area • Impact on transport infrastructure and road safety • Flood risk / Drainage • Environmental Impact • Climate Change
6.2	<p>Development Plan Context</p> <p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p>
6.3	<p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p>

6.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy (PS), which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 ('Department Development Plan') remain part of the statutory local development plan until the Local Policies Plan is adopted.
6.5	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at para 6.1.
6.6	Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
6.7	Belfast Urban Area Plan (BUAP) - The site is located within 'Lands reserved for Landscape, Amenity or Recreation Use'.
6.8	Draft Belfast Metropolitan Area Plan 2015 (versions 2004 and 2014) – The site is located within undesignated whiteland.
6.9	<p><u>Principle of development</u></p> <p>The proposed development lies within the development limit for Belfast, adjacent to the North Parade and South Parade Area of Townscape Character (CC061). The principle of development has previously been established through the previous application ref: LA04/2018/1755/F. This is a renewal and the proposal has not changed from the previous application. However, the Council has adopted the PS since the previous approval on the site. There is a presumption in favour of Community infrastructure development, such as this, in accordance with policy CI1.</p>
6.10	As noted above, the application site is located within 'Lands reserved for Landscape, Amenity or Recreation Use', in accordance with the BUAP, however the site is undesignated whiteland, within dBMAP. Owing to the historic use of the site for community infrastructure alongside the planning history of the site and the undesignated 'whiteland' status of dBMAP, it is considered the proposal is acceptable, having regard to policy OS1. Consequently, the principle of the proposed use is considered acceptable.
6.11	<p><u>The impact of the proposal on the Area of Townscape Character and Urban Design</u></p> <p>The site abuts the adopted North Parade and South Parade Area of Townscape Character (ATC) (BT061 in the draft BMAP).</p>
6.12	Whilst the proposal abuts and is not within the ATC, nevertheless, its potential impact on the ATC is a material consideration. The site abuts on one side – that of the parallel South Parade. The terraced dwellings of South Parade, notable for their terraced, Victorian architecture, back onto the site. The proposed building is similar in floorspace to that of the previous existing building and its location on the site will result in the built form being a similar distance from the boundaries and houses. The part of the building to the west of the site is further back from the boundary than the present building.
6.13	The materials proposed draw on local characteristics, using material which reflect the

	context of red clay facing brick, grey roof slates and contrasting recess render with predominantly pitched rooves. In terms of visual impact, the proposal will enhance the character of the area in comparison to the previous buildings on site. It is considered that the proposal is a betterment to the area as opposed to the vacant empty site that currently exists. A number of CGI images of been provided showing the context of the buildings in the wider street scene.
6.14	With regards to Policy BH3 – Areas of Townscape Character criteria (b), there will be no detrimental impact on the setting of the area and there is no significant loss of key views within, into and out of the ATC. The proposal further complies with DES 1 and the building is of a high quality sustainable design and will make a contribution to lacemaking.
	<u>The impact on the amenity of adjacent land users</u>
6.15	The proposed development is two storeys in height (max height – approx. 7.4 m) and there are separation distances from the back yard walls of the houses on South Parade to the school building of 11.6, 16 and 26 metres in varying locations. The closest part of the proposed building to the rear of the existing dwellings is single storey, therefore there is no impact on these neighbours in terms of overlooking, overshadowing and loss of light. Overall, the building is further from these boundaries than the previous resource centre. It is considered that the proposal would not result in any unacceptable overlooking, loss of light, overshadowing, loss of outlook or other harmful impacts on adjacent land users.
	<u>Access, movement, and parking</u>
6.16	The application site has good links to existing cycling, walking and public transport infrastructure. Cycle parking facilities are not provided on the site layout, however in the event of approval, details of the cycle parking can be conditioned. The proposal incorporates features which are designed to take account of the specific needs of people with disabilities and others whose mobility is impaired, including convenient movement along pathways, level access arrangements and provision of disabled parking.
6.17	Access to the school is via the one-way Somerset Street, located off the Ormeau Road. This is a residential street which accommodates parking on either side. The proposal will incorporate a one way system with a layby for drop offs and egress onto Cross Parade. A car park is also included for staff parking.
6.18	DFI Roads have been consulted and have provided no objection to the proposal subject to recommended conditions. A Travel Plan and Service Management Plan were provided to the satisfaction of DFI Roads and adherence to both documents will be conditioned.
6.19	It is considered the proposal complies with Policies TRAN1 (Active Travel), TRAN2 (Creating an Accessible environment), TRAN6 (Access to public roads) and TRAN8 (Car parking and Servicing Arrangements).
	<u>Health impacts</u>
6.20	Policy HC1 seeks to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.
6.21	The site is highly accessible and provides excellent opportunities for active travel, including walking and cycling, through good linkages with the city and public amenity. Active travel will be further encouraged through the travel plan and green measures proposed as part of the application. The site is within short walking distance of leisure

	amenities, playing pitches and a public park. The proposal is considered to satisfy the requirements of Policy HC1.
6.22	<p><u>Community Infrastructure</u></p> <p>There is a presumption in favour of providing community infrastructure, in accordance with policy CI1. Scoil an Droichid currently occupy a site on Cooke Road, which is 57% below the recommended area, with deficiencies in all spaces. The current site is unable to accommodate the expansion of the school. Supporting information has been provided to indicate the local need for the facility.</p>
	<p>Policy CI1 states that all proposals shall ensure there is no unacceptable impact on residential amenity or natural / built heritage and satisfactory arrangements are provided for access for all, including pedestrians, cyclists and public transport, as confirmed in paras 6.11 – 6.19.</p>
6.23	<p><u>Climate change</u></p> <p>The previous application had considered the demolition of the existing buildings onsite acceptable. These have already been demolished leaving a vacant site. With regard to policies ENV3 (Adapting to environmental change) and ENV5 (Sustainable drainage systems (SuDS)), the submitted plan strategy statement states that materials have been selected to reduce overheating and therefore reducing the reliance on air conditioning systems along with the inclusion of an indirect rainwater harvesting system in order to supply recycled water to the WC systems. Rainwater will be collected in an underground storage tank via a leaf filter. It will then be pumped to a break tank in order to supply WCs.</p>
6.24	<p>Proposed Landscape design has been assessed by the BCC Tree and Landscaping Officer and is deemed acceptable. The proposal includes the retention of existing trees along with additional planting and landscaped gardens within the scheme. Complying with TRE1.</p>
6.25	<p>With regards to environmental and tree policies, it is considered that the proposal is compliant with policies ENV2, ENV3 and ENV5.</p>
6.26	<p><u>Drainage</u></p> <p>A Drainage Assessment was submitted in accordance with policy ENV4. DFI Rivers are content with the submitted drainage calculations and the proposed drainage layout, however they still require an updated and appropriate consent to discharge correspondence from NI Water. In the event of approval, a condition requesting submission of a final drainage assessment can be imposed.</p>
6.27	<p><u>Sewage Infrastructure</u></p> <p>NI Water (NIW) provided comment on the proposal in relation to wastewater capacity, advising of no objections. Given NIW did not object, NIEA Water Management Unit (WMU) also provided confirmation of no objection.</p>
6.28	<p><u>Noise, air quality and other environmental impacts including Contamination</u></p> <p>A Noise Impact Assessment (NIA) has been submitted in support of the proposed development. BCC Environmental Health (EHO) have been consulted and are content with the findings of the NIA that the proposal will have no negative impact on nearby residential premises. The agent also confirmed there are no plans to cook food on the premises and the proposed kitchen will be used for hot holding and service of already cooked meals.</p>
6.29	<p>A Contaminated Land Assessment and Remediation Strategy has been submitted. Both EHO and NIEA Regulation Unit (RU) have considered the information and advised of no objection, subject to conditions.</p>

6.30	NIEA Natural Environment Division (NED) initially requested confirmation from the consultant ecologist that there are no material changes on site since the submission of the previous Bat Roost Potential survey. Confirmation was received from the ecologist and NED were reconsulted. NED acknowledged the response, advising of no further objections.
6.31	<p><u>Pre Application Community Consultation</u></p> <p>For applications for major development there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p>
6.32	Applicants are required to submit to the council a Proposal of Application Notice (PAN) in advance of making the application, which sets out the proposal for community consultation. As there is no change to the proposal as originally granted and the application is for a renewal, the original PAN and PACC remains applicable.
7.0	Recommendation
7.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
7.2	Delegated authority is sought for the Director of Planning and Building Control to finalise conditions and deal with any other matters that may arise, provided that they are not substantive.
DRAFT CONDITIONS:	
<ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. <i>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</i> 2. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed within the site in accordance with the approved plan. This area shall not be used at any time for any purpose other than for parking and movement of vehicles in connection with the approved development. Reason: To ensure that adequate provision has been made for parking and traffic circulation within the site. 3. The development hereby approved shall not be occupied or operated unless details of covered bicycle storage have been submitted to and approved in writing by the Council. The development shall not be occupied or operated unless the covered bicycle storage has been provided in accordance with the approved details and shall thereafter be retained in accordance with the approved details. Reason: To ensure adequate provision and availability of cycle parking and encourage sustainable travel. 4. The development hereby permitted shall operate in accordance with the approved Travel Plan. This must include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors. 	

Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.

5. The development hereby permitted shall operate generally in accordance with the approved Service Management Plan.

Reason: In the interests of road safety and traffic progression.

6. The rating level (dBLAr,T) from the operation of all combined plant and equipment must not exceed the existing daytime and night-time background sound levels at the nearest noise sensitive premises, when measured or determined in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

Reason: Protection of residential amenity.

7. Prior to the operation of the proposed development, a Verification Report shall be submitted to and approved in writing by the Council. This report must demonstrate that the remediation measures outlined in the Pentland Macdonald Ltd report entitled 'Updated Contamination Assessment and Remediation Strategy, Scoil an Droichid, South Parade/Somerset Street, Belfast, for GES Ltd / SP Magowan Ltd / TODD Architects' (dated October 2024 and referenced PM24-1025, Rev no. 02) have been implemented.

The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use (residential with/without homegrown produce). It must demonstrate that the identified human health contaminant linkages are effectively broken. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British Standards. In particular, the Verification Report must demonstrate that:

- a) A minimum 1000mm capping layer has been emplaced across the grow garden and ecology zone (shown in orange on Figure 4 of the Pentland Macdonald report) formed from material that is demonstrably suitable for use (residential with homegrown produce).
- b) A minimum 600mm capping layer has been emplaced across the standard area of landscaping/grassed play areas shown in yellow on Figure 4 of the Pentland Macdonald report, formed from material that is demonstrably suitable for use (residential without homegrown produce).

Reason: To demonstrate that the required remedial measures have been incorporated into the development, in the interests of human health.

8. If during the carrying out of the development, new contamination is encountered that has not previously been identified, all related development works shall cease, and the Council shall be notified immediately in writing. No further related development works shall proceed until this new contamination has been fully investigated in accordance with current Environment Agency and CIRIA guidance and British Standards.

In the event of unacceptable human health risks being identified, a Remediation Strategy shall be submitted to and agreed in writing by the Council. The Remediation Strategy shall be implemented and subsequently a Verification Report shall be submitted to and agreed in

writing by the Council prior to the development being occupied or operated. The Verification Report shall be completed by competent persons and demonstrate the successful completion of the remediation works and that the site is now fit for end-use. The Verification Report shall be in accordance with current Environment Agency and CIRIA guidance and British standards.

Reason: To ensure that any contamination within the site is appropriately dealt with, in the interests of human health.

9. 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 Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. 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.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

10. After completing the remediation works under Condition 9; 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 Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/landcontamination-how-to-manage-the-risks>. The verification report should present all the remediation, waste management and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and wastes in achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11. All landscaping works and boundary treatments shall be carried out in accordance with the approved details on Drawing No. 03, uploaded to the Planning Portal on 23rd April 2024. The works shall be carried out prior to the completion of the scheme 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.

Reason: In the interests of the character and appearance of the area

12. 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 Belfast City Council.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

13. 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.

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.

14. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the Root Protection Areas (RPAs) of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA

15. No site works of any nature or development shall take place until a Drainage assessment has been submitted by the applicant and approved in writing by the Council. The assessment shall include appropriate 'consent to discharge' correspondence from NI Water.

Reason: To ensure satisfactory drainage to the site.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers:
 - 01 – Site location plan
 - 03 – Proposed Site Plan
 - 04 – Proposed Ground Floor Plan
 - 05 – Proposed First Floor Plan
 - 06 - Proposed Roof Layout
 - 07 – Proposed Elevations
 - 08 – Proposed Elevations
 - 09 – Proposed Elevations
 - 10 – Proposed Elevations
 - 11 – Floor Plans Elevations Nursery Unit
 - 12 – Floor Plan Roof Plan Nursery Unit
 - 13 – Proposed Sections
2. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to the contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.
3. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project.

4. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.

ANNEX

Date Valid	18/04/2024
Date First Advertised	03/05/2024
Date Last Advertised	03/05/2024
EIA Required	Yes
ES Received	No Not required