

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 16 th June 2015	Item Number:
Application ID: Z/2015/0090/F	Target Date:
Proposal: Proposal to convert existing building into new 3 storey office space with new 2 storey front block extension to include new data centre parking and bicycle parking at side and rear.	Location: Maysfield Leisure Centre East Bridge Street Belfast BT1 3NR
Referral Route: Major Application/ BCC owned land	
Recommendation:	Approval
Applicant Name and Address: Gerard Cassidy Concentrix 9 Lanyon Place Belfast BT1 3LP	Agent Name and Address: Isherwood and Ellis 1 Lower Crescent University Road Belfast BT7 1NR
<p>Executive Summary: This application seeks full planning permission for conversion, refurbishment and minor extension of the former Maysfield Leisure Centre for use as 3 storey office space.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of office development at this location; • The impact on existing transport network and roads infrastructure ; • Potential impact on residential amenity; and • Contamination. <p>The site is located within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan 2015 and on a development opportunity site (CC019 Mays Meadow). Proposal involves the re-use of existing vacant building which will result in significant local economic benefit in a highly accessible mixed-use area.</p> <p>The proposal has been assessed against the following Policies - Planning Policy Statement 1: General Principles, Planning Policy Statement 3: Access Movement and Parking and Planning Policy Statement 4: Planning and Economic Development.</p> <p>Transport NI have offered no objections to the principle of the development but have requested further supporting technical information in order to fully assess the proposal.</p> <p>NIEA Waste Management Unit and Environmental Protection Unit of BCC have been consulted with regard to environmental information submitted by the applicant, and although final response has yet to be provided, it is considered that the issues can be dealt with by way of conditions.</p> <p>Environmental Protection Unit has assessed the Noise report and has confirmed that there will be</p>	

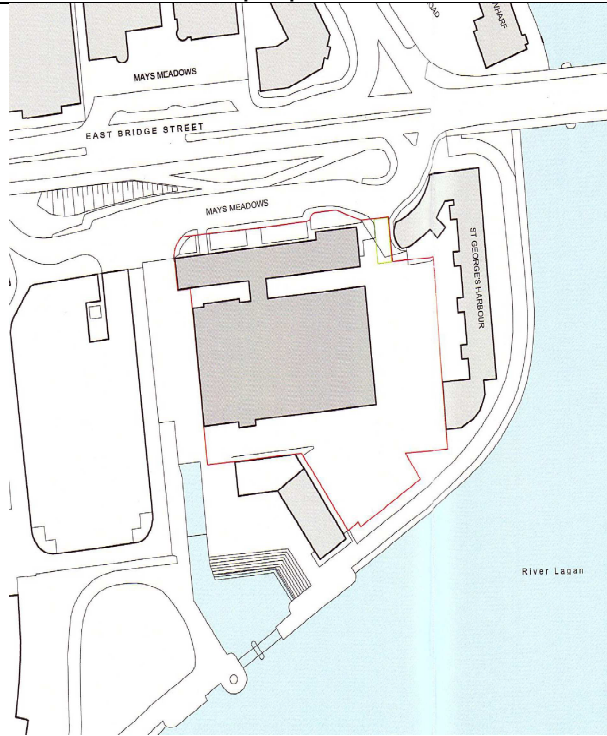
no unacceptable adverse impact on residential amenity. Subject to conditions regarding noise mitigation and verification.

It is recommended that the application is approved with conditions.

In light of outstanding information to address Environmental Protection Unit, NIEA and TransportNI issues the committee is asked to delegate authority in this case to the Director of Planning and Place to draft any necessary amendments and/or additional conditions.

Case Officer Report

Site Location Plan, proposed elevations and block plan



1. Description of Proposed Development

Proposal to convert existing building into new 3 storey office space with new 2 storey front block extension to include new data centre parking and bicycle parking at side and rear.

2. Description of Site

Derelict leisure centre building located between main road (East Bridge Street) and Lagan River. Site sits at a much lower level than the road and is accessed off Mays Meadow. Substantial flat roof building fronts onto Mays Meadow with a small single storey building detached and to the rear of the main building. Site dominated by hard standing with parking located to either side and to the rear of the main building.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 No relevant history

4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan 2015

4.1.1 Mays Meadow 'development opportunity site' (CC019)

4.2 Planning Policy Statement 1 - General Principles

4.3 Planning Policy Statement 3 - Access, Movement and Parking

4.4 Planning Policy Statement 4 – Planning and Economic Development

5.0 Statutory Consultees Responses

5.1 NI Water – Await final response. Does not affect the principle of development

5.2 DRD Transport NI – Await final response. Does not affect principle of development

5.3 NIEA Historic Monuments Unit – No objection

5.4 Health & Safety Executive for NI – No objection

5.5 NIEA Waste Management Unit – Await final response. Does not affect the principle of development

6.0 Non Statutory Consultees Responses

6.1 BCC Environmental Health - Await final response. Does not affect the principle of development

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. No comments have been received.

8.0 Other Material Considerations

8.1 None

9.0 Assessment

9.1 The key issues in the assessment of the proposed development include:

- Acceptability of the proposed office use at this location
- Contamination
- Impact on Residential amenity
- Traffic Movement and Parking

9.2 The site is located within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan. The site is also located on the Mays Meadow 'development opportunity site' (CC019) as designated in the Area Plan. The re-use of this existing building is therefore compatible with the Area Plan objectives and will help regenerate what is a substantial and accessible city centre site. PPS4 - Policy PED1 is applicable given that the proposed use falls within Business use class B1. The proposal fails to meet all of the criteria, under PED1, in that it has not been demonstrated by the applicant that there are alternative sites within the city centre. However the proposal will no doubt bring about significant economic benefits in that it will involve the re-use of an existing derelict building on a highly accessible development opportunity site and free up office space at another location within the city centre. On balance the wider benefits of the scheme would significantly outweigh any policy concerns

9.3 CONTAMINATED LAND

Paragraph 59 of PPS1 applies in terms of contamination. Records held by Environmental Protection Unit of Belfast City Council indicate that the site of the development is located close to and on land uses types that have the potential to contaminate land and pose a risk to human health. The land use types include - a power station 65m north of the site and reclaimed land. Subsequently there exists the possibility that this land may present a risk to human health if the development proceeds without proper consideration of these risks. NIEA Waste Management Unit were unable to advise on whether this development would have significant adverse impacts on the water environment based on the limited information provided.

An Environmental Site Assessment and Generic Quantitative Risk Assessment and A Foundation Works Risk Assessment Report were submitted on 2nd June 2015. This should address all concerns in full. Further comment has been invited from Environmental Protection Unit and NIEA. A number of 'negative conditions have been listed below which should ensure that should the submitted Risk Assessment demonstrate that pollutant linkages exist on the site adequate measures shall be undertaken to ensure an appropriate level of investigation and mitigation.

9.4 NOISE

PPS1 is also applicable in the assessment of potential noise pollution and the impact on neighbouring amenity. A noise report has considered the potential noise impact on St George's Harbour apartments. The report has concluded that noise mitigation measures may be required in order to attenuate noise from the proposed 13 heat pumps. BCC have subsequently recommended that conditions are attached to any planning approval, in order to ensure the occupiers of nearby residential premises are not adversely affected by plant noise from the development. These conditions are detailed below under paragraph.

<p>9.5 The proposal has been assessed against policies AMP7 of Planning Policy Statement 3. A Transport Assessment Form was submitted at the request of TransportNI who have subsequently requested additional information in the form of Transport Assessment/ Statement and a comprehensive Travel Plan. No objections have been raised with regard to the principle of the proposed development. On receipt of the supporting technical information TransportNI should be in a position to recommend approval subject to conditions.</p>	
<p>Neighbour Notification Checked</p>	<p>Yes</p>
<p>10.0 Summary of Recommendation: Approval</p>	
<p>10. 1 The proposal involves the re-use of an existing vacant building. Noise Impact Assessment submitted shows no significant impact on residential amenity. Highly accessible site located adjacent to Central Station and local bus routes. Proposal includes minor extension with minimal external alterations and no adverse visual impact. Additional technical information submitted to address issues regarding contamination. Further technical information to be submitted to address TransportNI concerns however this does not affect the principle of development.</p>	
<p>11.0 Conditions</p>	
<p>11.1 As required by Section 61 of the Planning Act (Northern Ireland) Order 2011, 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>11.2 Prior to commencement of the development, the applicant shall submit to Belfast City Council for approval, a contaminated land Preliminary Risk Assessment (Phase I). The report should follow the methodology outlined in Model Procedures for the Management of Land Contamination (CLR11) and include a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.</p>	
<p>Reason: In the interests of public health and safety</p>	
<p>11.3 In the event that the Preliminary Risk Assessment demonstrates that potential pollutant linkages exist on the site, a Quantitative Risk Assessment (Phase II) shall be submitted. The Phase II intrusive site investigation should be conducted in accordance with Model Procedures for the Management of Land Contamination (CLR11) and must incorporate:</p>	
<ul style="list-style-type: none"> - A detailed site investigation in line with British Standards BS10175:2011+A1:2013. Any ground gas investigations should be conducted in line with BS8485; - 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, any risks associated with ground gases should be assessed under the methodology outlined in CIRIA C665; - Based on the outcome of this risk assessment, a Remediation Strategy (Phase III) 	

may be required. This Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health.

These reports must be submitted to Belfast City Council for approval.

Reason: Protection of human health

- 11.4 In the event that a land Remediation Strategy is required and prior to the occupation of the proposed development, the applicant shall provide to Belfast City Council for approval, a Verification Report. This report must demonstrate that any remediation measures outlined in the contaminated land risk assessments have been implemented.

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 any identified significant pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health

- 11.5 In the event that contamination not previously considered is encountered during the approved development of this site the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Belfast City Council for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.

Reason: Protection of human health

- 11.6 Prior to the commencement of development the design detail and acoustic specification of the roof top barrier system, referred to in Lester Acoustics letter report titled 'Concentrix Conversion of Maysfield Leisure Centre, Belfast: Initial Noise Impact Assessment', reference MRL/0992/L01, dated 20th May 2015 (if deemed to be required), shall be submitted to Belfast City Council and agreed in writing.

Reason: In the interests of residential amenity

- 11.7 Prior to commencement of the development, a Noise Verification Report shall be submitted to Belfast City Council demonstrating that the Rating Level of noise from roof top plant and equipment does not exceed the typical Background Sound Level (for both day time and night time hours). The sound level shall be determined at the boundary of the nearest noise sensitive premises and all sound measurements shall be made in accordance with BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound.

Reason: In the interests of residential amenity

