

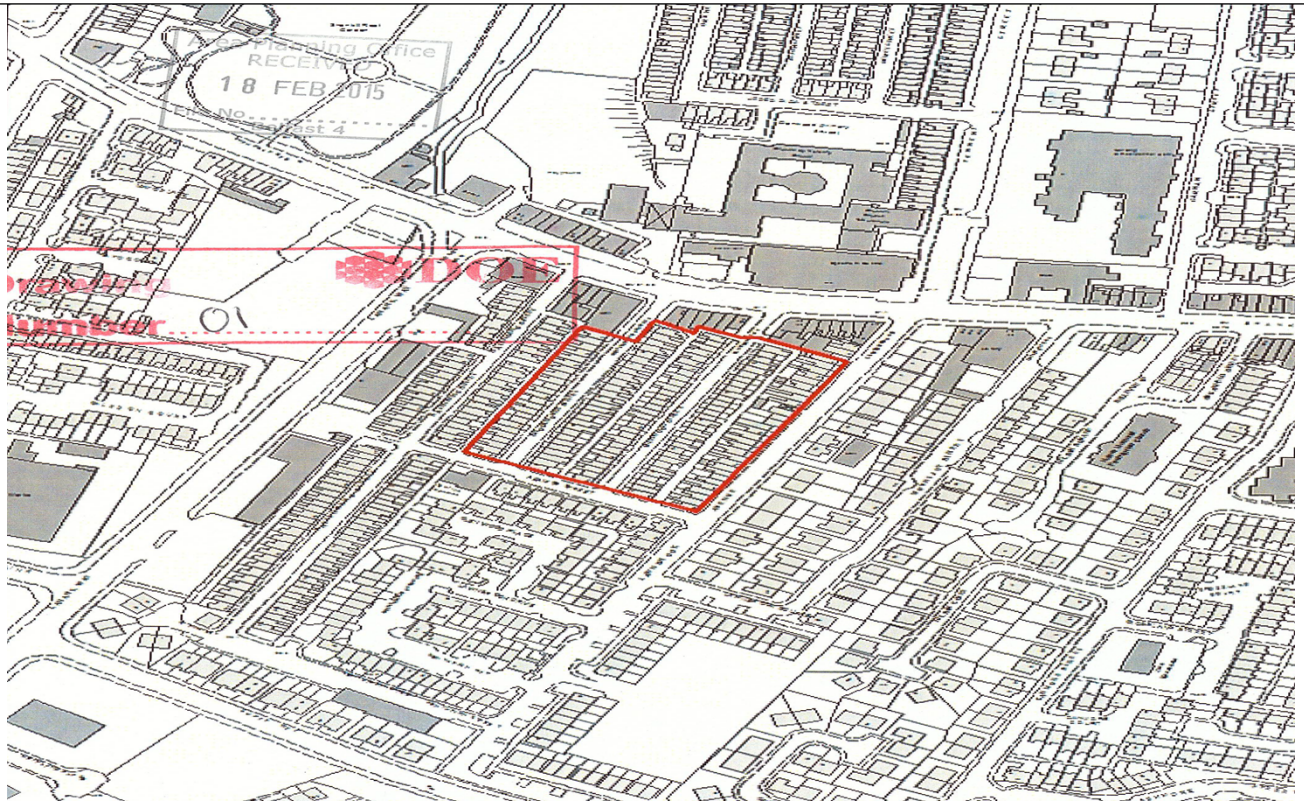
Development Management Officer Report Committee Application

Summary	
Committee Meeting Date:	Item Number:
Application ID: Z/2015/0196/F	
Proposal: Temporary use of a previous housing site (brownfield) as open space (grassed) pending redevelopment - for a period of 5 years	Location: Lands @ Lawnbrook Shankill bounded by Shankill Road Lawnbrook Avenue Azamor Street and Brookmount Street Belfast
Referral Route: Major Application	
Recommendation:	APPROVAL
Applicant Name and Address: NIHE 2 Adelaide Street Belfast BT2 8PB	Agent Name and Address: NIHE c/o David Brown 1st Floor 7 Fountain Street Belfast BT1 5EA
<p>Executive Summary:</p> <p>The proposal seeks temporary use of a previous housing site (brownfield) as open space (grassed) pending redevelopment - for a period of 5 years. The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> - The principle of open space use at this site; - Impact on visual amenity / character of the area; - Impact on residential amenity. <p>The site is located within the development limits of Belfast in the Belfast Metropolitan Area Plan and is identified as within an Area of Townscape Character.</p> <p>The application has been assessed against relevant planning policies including the Belfast Metropolitan Area Plan, the Strategic Planning Policy Statement, PPS8: Open Space, Sport & Outdoor Recreation, PPS3: Roads Considerations and associated supplementary guidance.</p> <p>No consultees have any objections to the proposal No representations have been received.</p> <p>Taking account of the comments of the Conservation Officer, the temporary nature of the proposal, and the wider public interest of the intended regeneration of the site and locality as identified by the Housing Executive, on balance it is considered that the proposal would not harm the character of the area and is acceptable in terms of PPS6. The proposal would comply with paragraph 4.8 of the SPPS which supports the provision of new open space.</p> <p>It is recommended that permission is granted for the use subject to a condition for a 5 year temporary period</p>	
Signature(s):	

Date:

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Protecting Historic Monuments	No Objection

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0	<p>Description of Proposed Development</p> <p>Temporary use of a previous housing site (brownfield) as open space (grassed) pending redevelopment - for a period of 5 years</p>
2.0	<p>Description of Site</p> <p>The site is located at Brookmount Street, Glenwood Street and Lawnbrook Avenue off the Shankill Road. It is roughly rectangular in shape and comprises streets of terraced housing which have been cleared for redevelopment. Azamor Street forms the southern site boundary. Topography of the site is generally level. The site is located within an Area of Townscape Character [ATC] BT052 – Shankill in the area plan.</p>

	To the north of the site there are a number of non-residential buildings with frontage to the Shankill Road. There are typical terraced dwellings immediately adjacent to the north west. The area is predominantly residential with commercial uses fronting onto the Shankill Road.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History None relevant
4.0	Policy Framework
4.1	Belfast Metropolitan Area Plan 2015
4.2	Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS) PPS6: Archaeology & Built Heritage; PPS8: Open Space, Sport & Outdoor Recreation; PPS3: Roads Considerations; Development Control Advice Note 15 Vehicular Access Standards
5.0	Statutory Consultee Responses
	NIEA Historic Monuments – no objections
6.0	Non Statutory Consultee Responses
	None
7.0	Representations
	None received.
8.0	Other Material Considerations
	None
9.0	Assessment
9.1	The key issues in the assessment of the proposal are as follows: <ul style="list-style-type: none"> - The principle of open space use at this site; - Impact on visual amenity / character of the area; - Impact on residential amenity.
9.2	The SPPS sets out five core planning principles of the planning system, including improving health and well being, creating and enhancing shared space, and preserving and improving the built and natural environment.
9.3	The proposal would comply with para 4.8 of the SPPS which supports the provision of new open space. PPS8 is largely silent in respect of the proposal – space provision policies are limited to proposals for residential development, the zoning of space in development plans, and the protection of existing open space areas. The remaining policies in PPS8 are not applicable in this case due to the nature of the proposal.
9.4	Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. As no buildings are proposed, the proposal would not impact on existing properties in terms of noise, overshadowing, dominance, or loss of privacy. Indeed

<p>9.5</p> <p>9.6</p> <p>9.7</p> <p>9.8</p>	<p>the amenity of existing residents would be improved through this provision / access to the proposed open space.</p> <p>The site is located within an ATC in BMAP. The SPPS identifies protection of Built Heritage as a core principle [para 4.37], and section 6. Paras 6.21-3 refer to ATC's. The SPPS states PPS6 Addendum ATC's remain applicable under 'transitional arrangements'. ATC2 relates to new development within an ATC and requires proposals to maintain or enhance the character. The provision of open space, could be argued to result in the loss of heritage assets [i.e. buildings], however as the site has been cleared, it is not possible to weigh the merits of the existing buildings against the proposed provision of open space. Taking account of the comments of the Conservation Officer, the temporary nature of the proposal, and the wider public interest of the intended regeneration of the site and locality as identified by the Housing Executive, on balance I consider that the proposal would not harm the character of the area and is acceptable in terms of PPS6.</p> <p>In relation to PPS3 and associated access, traffic, and parking policies, the proposal will not alter the existing road infrastructure as the existing streets will be retained. The proposal will not result in increased parking or traffic. Accordingly the proposal is acceptable in relation to PPS3 and associated policies/guidance.</p> <p>No consultees have any objections to the proposal and no representations have been received.</p> <p>Following the above assessment the proposal is considered acceptable and the recommendation is to grant permission for a temporary period.</p>
<p>10.0</p>	<p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to a temporary condition, landscaping details, and contamination remediation conditions.</p>
<p>11.0</p>	<p>Conditions</p> <ol style="list-style-type: none"> 1. The permission hereby granted shall be for a limited period of 5 years only and shall expire 5 years from the date of this permission. <p>Reason: To secure the use as temporary and to allow the Local Planning Authority to consider the circumstances prevailing at the end of the period of permission.</p> <ol style="list-style-type: none"> 2. No development including site clearance works shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. <p>The details shall include a detailed layout together with existing and proposed levels, cross sections, hard surface materials and other hard details including street furniture.</p> <p>The details shall also include detailed planting plans with written planting specification including site preparation and planting methods and detailed plant schedules including the species, the size at time of planting, presentation, location, spacings and numbers.</p> <p>A landscape management plan including, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall also be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved and no changes</p>

implemented without the consent of the Local Planning Authority.

Reason: To ensure the provision of amenity afforded by an appropriate landscape design.

3. Prior to commencement of development, the applicant must submit a Contaminated Land Risk Assessment following the methodology outlined in *Model Procedures for the Management of Land Contamination* (CLR11) and in the first instance contain the following information:
 - (a) A Preliminary Risk Assessment (often referred to as a Phase I) that includes a full description of the site and its surroundings, a determination of the history of the site and its surroundings, identification of the current and past land uses and a Preliminary Conceptual Site Model outlining all potential Source-Pathway-Receptor pollutant linkages.
 - (b) Should the Preliminary Risk Assessment demonstrate that potential pollutant linkages exist on the site then prior to development commencing a Quantitative Risk Assessment (often referred to as a Phase II) that addresses these issues should be submitted. This must incorporate:
 - 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, 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 (often referred to as a Phase III) may be required. If found to be necessary, this Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and no longer pose a potential risk to human health.
 - (c) In the event of unacceptable risks being identified as a result of (b) above development shall not commence until the applicant submits a detailed Remediation Strategy in writing including an implementation and verification plan which outlines the measures to be undertaken to ensure that on-site land and groundwater does not pose a potential risk to human health, and that all identified pollutant linkages will be demonstrably broken.
 - (d) On completion of any necessary remediation works and prior to the use of the site, the applicant shall provide in writing to the Council, for approval, a Verification Report. This report shall present all the remediation and monitoring works undertaken and demonstrate the identified pollutant linkages have been broken and that the site is now fit for end-use (use as a public open space). The Verification Report must be completed by competent persons in accordance with the model procedures for the management of Land Contamination (CLR11) and current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health

4. If during the development, contamination is encountered that has not previously been identified, works should cease immediately and the Council notified immediately. This 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. Reason: Protection of human health
12.0	Notification to Department (if relevant) N/A

ANNEX	
Date Valid	18th February 2015
Date First Advertised	20th March 2015
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 1 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 10 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 10 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 11 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 12 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 12 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 13 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 14 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 14 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 15 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 16 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 16 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 17 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 18 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 18 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 2 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 20 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 20 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 22 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 22 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 24 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,</p>	

The Owner/Occupier,
24 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
26 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,
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26 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
28 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,
The Owner/Occupier,
28 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
3 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF,
The Owner/Occupier,
3 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
30 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,
The Owner/Occupier,
30 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
318 Shankill Road, Town Parks, Belfast, Antrim, BT13 3AB,
The Owner/Occupier,
32 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,
The Owner/Occupier,
32 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
320 Shankill Road, Town Parks, Belfast, Antrim, BT13 3AB,
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338 Shankill Road, Town Parks, Belfast, Antrim, BT13 3AB,
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34 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,
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34 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB,
The Owner/Occupier,
340 Shankill Road, Town Parks, Belfast, Antrim, BT13 3AB,
The Owner/Occupier,
36 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT,
The Owner/Occupier,

<p>38 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 4 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 4 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 40 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 42 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 44 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 46 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AU, The Owner/Occupier, 48 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AU, The Owner/Occupier, 5 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 5 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 6 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 6 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 67 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 7 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF, The Owner/Occupier, 8 Battenberg Street, Town Parks, Belfast, Antrim, BT13 3AT, The Owner/Occupier, 8 Lawnbrook Avenue, Town Parks, Belfast, Antrim, BT13 2QB, The Owner/Occupier, 9 Azamor Street, Town Parks, Belfast, Antrim, BT13 2QF,</p>	
Date of Last Neighbour Notification	N/A
Date of EIA Determination	1 st July 2014 – ref: Z/2014/0273/DETEIA
Drawing Numbers and Title	
01, 02, 03	
Representations from Elected members:	
None	