

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 11th June 2019	
Application ID: LA04/2018/1755/F	
<p>Proposal: 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. (Amended plans)</p>	<p>Location: Ulidia Site (formally Ulidia Primary) Somerset Street Belfast BT7 2GS</p>
Referral Route: Major application	
Recommendation: Approval	
<p>Applicant Name and Address: Scoil an Droichid 20 Cook Street Belfast BT7 2EP</p>	<p>Agent Name and Address: Todd Architects Titanic House 6 Queens Road Belfast BT3 9DT</p>
<p>Executive Summary:</p> <p>The proposal is to demolish the existing buildings on the site of Ulidia Resource Centre (formerly Ulidia Primary School) and erect a new 7-classroom, 2-storey school with nursery and ancillary facilities for Scoil an Droichid, an Irish medium primary school. The application includes parking facilities, landscaping and open space.</p> <p>The issues for assessment are:</p> <ul style="list-style-type: none"> • The principle of a school at this location • The visual impact of the proposed redevelopment • The impact on amenity/character of the area • The impact on transport and other infrastructure • Flood risk <p>The principal of a school on the site is considered acceptable given that the existing buildings were previously used as a primary school and thereafter as a resource centre.</p> <p>The school is intended to serve 204 children with 25 staff. The design is modern but contains materials which draw on local characteristics and include Belfast red clay facing brick, grey roof slates, contrasting render, aluminium PCC window surrounds and some dark grey cladding.</p>	

The design, scale and massing are considered acceptable and will not adversely impact on the character and appearance of the area or on the amenity of adjacent properties.

Consultations:

DFI Roads, Environmental Health, NI Water and Rivers Agency were consulted. There were no objections and all consultees provided either advice or conditions and informatives.

Objections:

Two objections were received from nearby residents who expressed concerns regarding traffic and access, querying whether there is a demand or need for an additional primary school, stating that the school would be inappropriate in the residential context, concerns regarding soil and asbestos contamination, noise pollution and that insufficient neighbour notification was undertaken.

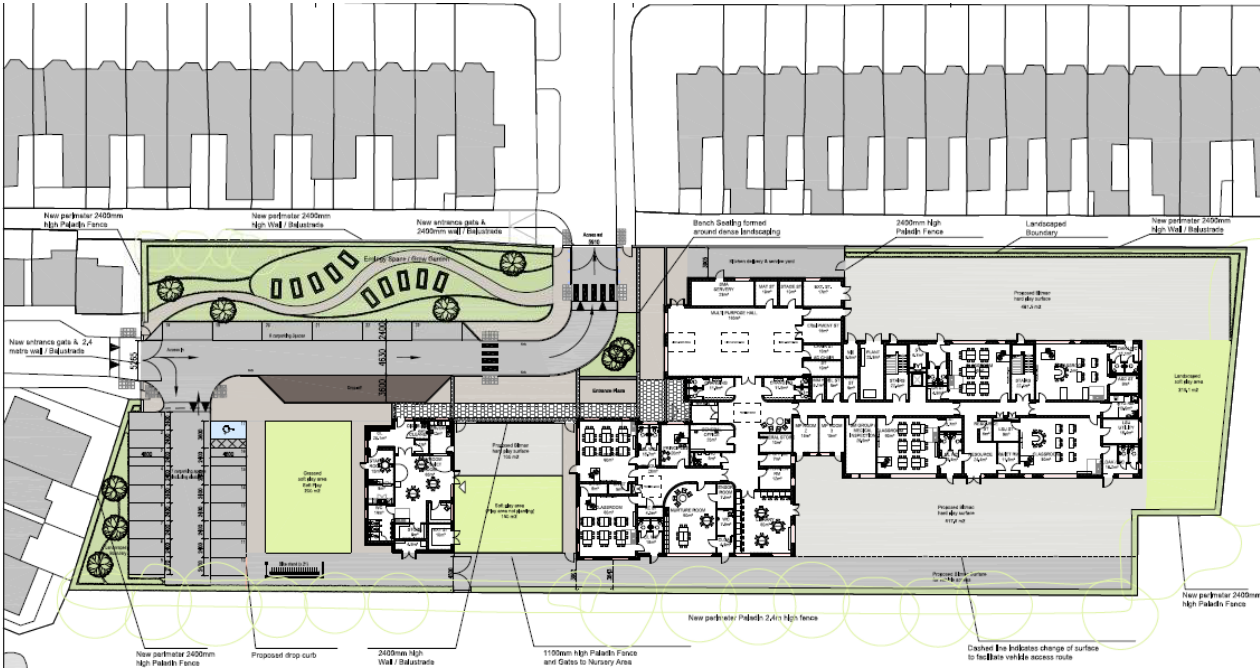
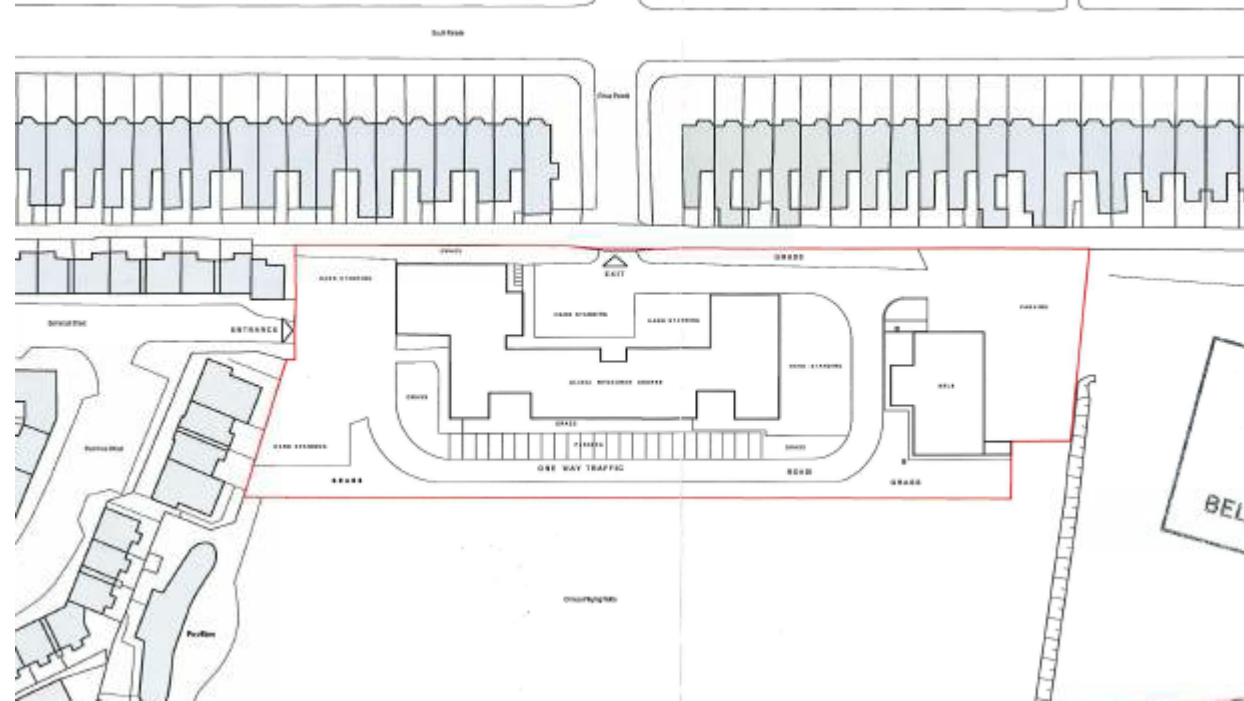
Neighbour notification was undertaken as well as community pre-consultation in accordance with statutory requirements. Environmental Health and DFI Roads consider the application acceptable subject to conditions and these objections are considered in full in the main body of the report

Recommendation:

Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions with the final wording of conditions to be delegated to the Director of Planning and Building Control.

Case Officer Report

Site Location Plan/Site Layout



Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The proposal is for a new 2-storey, 7-classroom primary school (Scoil an Droichid) who wish to decant from their current site on the lower Ormeau Road. The existing buildings are to be demolished and replaced with the school to include a nursery, library and multi-function hall.
1.2	The design while modern contains materials which draw on local characteristics and include Belfast red clay facing brick, grey roof slates, contrasting render, aluminium PCC window surrounds and some dark grey cladding.
2.0	Description of Site and Area
2.1	The site is located in South Belfast with two 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 which have been recently redeveloped to 3G pitches for Rosario Football club. The north and west of the site are characterised by established housing, mostly terraced.
2.2	The site itself contains the Ulidia Resource Centre which was previously Ulidia Primary School. There is at present a main 2-storey former school building as well as another 1.5 storey ancillary building on the site. The site is relatively flat and contains metal railings along the Cross Parade elevation and railings and landscaping along the other elevations.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
3.1	No relevant site history bar minor applications pertaining to the existing building's previous use as a school.
4.0	Policy Framework
4.1	Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015) Draft Belfast Metropolitan Plan 2004
4.2	Regional Development Strategy Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3 - Access, Movement and Parking Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage Planning Policy Statement 15 (Revised) - Planning and Flood Risk
5.0	Statutory Consultees DFI Roads – recommend conditions and informatives NIW – Advice provided Rivers Agency – no objections
6.0	Non-Statutory Consultees Environmental Health BCC – conditions and informatives provided BCC Tree Officer – no objections

<p>7.0 7.1</p>	<p>Representations</p> <p>Two objections were received from nearby residents who expressed concerns regarding traffic and access, querying whether there is a demand or need for an additional primary school, stating that the school would be inappropriate in the residential context, concerns regarding soil and asbestos contamination, noise pollution and that insufficient neighbour notification was undertaken.</p>
<p>8.0 8.1 8.1.1 8.1.2 8.1.3 8.1.4 8.2 8..2.1 8.2.2 8.3 8.3.1 8.3.2 8.3.3</p>	<p><u>ASSESSMENT</u></p> <p><u>Development Plan</u></p> <p>Section 6 (4) of the Planning (Northern Ireland) 2011 Act states that in making any determination under the said Act, regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.</p> <p>Following the recent Court of Appeal decision on Belfast Metropolitan Area Plan, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.</p> <p>Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, BMAP 2015 is considered to hold significant weight.</p> <p>The proposed development lies within the development limit for Belfast City Centre (CC001), adjacent to the North Parade and South Parade Area of Townscape Character (CC061),</p> <p><u>The principle of a school at this location</u></p> <p>The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below.</p> <p>The site is bounded by open space/playing fields on two sides and by residential dwellings on the other two sides. The land is zoned as white land and has been in educational use for at least 30 years with the existing buildings being used as a primary school previously.</p> <p><u>The impact of the proposal on the Area of Townscape Character</u></p> <p>The site abuts the North Parade and South Parade Area of Townscape Character (BT061 in the draft BMAP).</p> <p>The Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) is a material consideration. It advises that until councils have adopted a new Plan Strategy any conflicts between the SPPS and existing specified retained Planning Policy Statements (including PPS6) are to be resolved in favour of the SPPS. Para 6.21 states that development within ATC's should only be permitted where the overall character would be maintained or enhanced.</p> <p>While the proposal is abutting and not within the ATC, its potential impact on the ATC is a material consideration. The site abuts on one side – that of the parallel South Parade. The</p>

	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 existing building (the existing being c2317sq m and the proposed being 2459 sq m) 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.
8.3.4	The materials proposed draw on local characteristics and in terms of visual impact, the proposal will enhance the character of the area in comparison to the building currently on site.
8.3.5	The design and materials are considered acceptable and the proposal will not adversely impact on the character and appearance of the ATC.
8.4	<u>Traffic, Movement and Parking</u>
8.4.1	Following submission of further information, DFI Roads has recommended conditions and informatives. Objectors have made reference to traffic and congestion however there are two vehicular entrances to the school from the Ormeau Road and North Parade which allows a one-way system and there are 23 parking spaces within the site alongside a drop-off area to the front of the school. A Travel Plan and Service Management Plan were provided to the satisfaction of DFI Roads.
8.5	<u>Contaminated Land</u>
8.5.1	Whilst a Preliminary Risk Assessment was provided with the application, Environmental Health required further ground investigation. The agent made a case to deal with further contamination matters via negative condition as the budget will not be made available to the applicant until planning permission is granted. Environmental Health are content on this basis to provide negative conditions requiring submission of a remediation strategy and a verification report.
8.6	<u>Noise/Air Quality</u>
8.6.1	The Environmental Health Service requested a Noise Impact Assessment which submitted, assessed and deemed acceptable.
8.7	<u>The impact on the amenity of adjacent land users</u>
8.7.1	The proposal is two storey and there is separation distances from the back yard walls of the houses on South Parade to the school building of 8, 16 and 26 metres in varying locations. Overall the building is further from these boundaries than the existing 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.
8.8	<u>Developer Contributions</u>
8.8.1	Para 5.69 of the SPPS states that "Planning authorities can require developers to bear the costs of work required to facilitate their development proposals". As the site is self-contained and for educational use, it is not necessary to require any such mitigation.
8.9	<u>Pre-application community consultation</u>
8.9.1	For applications that fall within the major category a prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty

	on the applicant for planning permission to consult the community in advance of submitting an application.
8.9.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2017/1748/PAN) was submitted to the Council on 8 th August 2016 and was deemed acceptable on 8 th September 2016.
8.9.3	Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of the public events, stakeholder letters, leaflets and the public advertisement.
8.9.4	It highlighted both positive and negative comments by the public and how these have been addressed. Traffic was highlighted by as a major concern and the PACC states that concerns were alleviated when it was explained that the site strategy included an on-site drop-off facility and a one-way traffic system.
8.9.5	It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.
8.10	<u>Statutory Consultation</u>
8.10.1	The revised scheme was first advertised on 6 th August 2018 and neighbours/objectors notified on 18 th September 2018. Neighbours and objectors were renotified following the submission of additional information on the 14 th March 2019 and 20 th May 2019.
8.10.2	Two objections were received from nearby residents who expressed concerns regarding traffic and access, querying whether there is a demand or need for an additional primary school, stating that the school would be inappropriate in the residential context, concerns regarding soil and asbestos contamination, noise pollution and that insufficient neighbour notification was undertaken.
8.10.3	As the proposed use is not contrary to the zoning of the site, it was not necessary to require proof that a school is needed in the area and in any event the proposal is to relocate an existing school (Scoil an Droichid)
8.10.4	Traffic, noise and contamination are discussed in paras 8.4 – 8.7 above.
9.0	Summary of Recommendation:
9.1	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval is recommended subject to conditions. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions.

10.0	Conditions
10.1	<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) 2010.</p>
10.2	<p>The development hereby permitted shall not become operational until hard surfaced areas have been constructed generally in accordance with the approved layout Drawing No. 16 'Proposed Road Layout' bearing the Belfast City Council Planning Office date stamp 22 February 2019 and Drawing 'Proposed Site Plan' published by the Belfast City Council Planning Office on 20 May 2019 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 and servicing.</p>
10.3	<p>The development hereby permitted shall not become operational until a minimum of 1 space has been provided and permanently retained for people with a disability, or with special needs, in accordance with the approved plans.</p> <p>Reason: To ensure that adequate provision has been made for parking for people with a disability or with special needs within the site.</p>
10.4	<p>The development hereby permitted shall not become operational until a minimum of 21 No. cycle stands are provided, in accordance with the approved plans, for use by visitors to the development.</p> <p>Reason: to encourage the use of alternative modes of transport for development</p>
10.5	<p>The development hereby permitted shall operate in accordance the approved Revised Travel Plan in Appendix C of the 'Response from Amey Consulting Traffic Engineers dated 21/02/19' bearing the Belfast City Council Planning Office date stamp 22 February 2019. This must include provision of the Translink iLink Initiative and the Bike2Work Initiative or equivalent measures to encourage sustainable travel by staff and visitors, to be agreed by DfI Roads. This Travel Plan will be issued as a standalone document and the measures contained within will be monitored and assessed from the inception of the Plan on a minimum of an annual basis to ensure the Plan's effectiveness.</p> <p>Reason: To encourage the use of alternative modes of transport to the private car in accordance with the Transportation Principles.</p>
10.6	<p>The development hereby permitted shall operate generally in accordance with the approved Service Management Plan published by the Belfast City Council Planning Office on 1st August 2018.</p> <p>Reason: In the interests of road safety and traffic progression.</p>
10.7	<p>Any gas fired heating boiler installed as part of the heating system must meet a minimum emission standard of <40mgNOx/kWh. The stack height of the boiler flue must be above roof level to maximise dispersal of any residual emissions.</p> <p>Reason: Protection of health and residential amenity.</p>
10.8	<p>No works or development on site shall commence unless an Updated Contaminated Land Risk Assessment and Final Remediation Strategy have been submitted to and approved in</p>

	<p>writing by the Council. The risk assessment report must follow the methodology outlined in Model Procedures for the Management of Land Contamination (CLR10).</p>
10.9	<p>Based on the outcome of this updated risk assessment, a development-specific Final Remediation Strategy must be submitted to and approved in writing by the Council. The Final Remediation Strategy must demonstrate how the identified pollutant linkages are to be demonstrably broken and that they no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified.</p> <p>All construction thereafter must be in accordance with the approved Final Remediation Strategy.</p> <p>Reason: Protection of human health</p>
10.10	<p>The development hereby permitted must not be occupied unless a Verification Report has been submitted to and approved in writing by the Council in order to demonstrate that any required remedial measures have been incorporated within the proposal. The Verification Report must be in accordance with current Environment Agency, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Final Remediation Strategy have been implemented and have broken the relevant pollutant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p>
10.11	<p>In the event that unexpected contamination is encountered during the approved development of this site, the development shall cease until a written report detailing the nature of this contamination and its management has been submitted to and agreed in writing by the Council. The investigation, risk assessment and if necessary remediation work, must be undertaken and verified in accordance with current best practice.</p> <p>Reason: Protection of human health.</p>
10.12	<p>No demolition shall commence on site unless a Construction Noise Vibration and Dust Management Plan has been submitted to and approved in writing by the Council. It must outline the methods to be employed to minimise any noise and vibration and dust impacts associated with the demolition and construction operations demonstrating the use of 'best practicable means'. The plan must pay due regard to BS 5228:2009+A1:2014 Code of practice for Noise and vibration on construction and open sites, and IAQM Guidance on the Assessment of dust from demolition and construction 2014. All construction works thereafter must be carried out in accordance with the approved management plan.</p> <p>Reason: Protection of the amenity of nearby premises</p>
10.13	<p>Commercial deliveries to and collections from the hereby permitted development must not take place outside daytime hours of 07:00hrs-23:00hrs Monday to Friday.</p> <p>Reason: Protection of residential amenity.</p>
10.14	<p>The development hereby permitted shall not become operational unless all landscaping works and boundary treatments have been carried out in accordance with the approved details on Drawing Numbers 14A, 15A, 20, 21, 22, 23, 24 and 25 date stamped 20th May 2019. 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.</p>

<p>10.15</p> <p>10.16</p> <p>10.17</p>	<p>Reason: In the interests of the character and appearance of the area</p> <p>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.</p> <p>To ensure the provision, establishment and maintenance of a high standard of landscape.</p> <p>No work shall commence on site unless all protective barriers (fencing) and ground protection have been 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>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 any existing trees to be retained within the site and on adjacent lands.</p> <p>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>
<p>11.0</p>	<p>Representations from Elected Representatives (if relevant) N/A</p>
<p>12.0</p>	<p>Referral to Dfl (if relevant) N/A</p>

ANNEX	
Date Valid	22 nd June 2018
Date First Advertised	6 th August 2018
Date Last Advertised	
<p>Details of Neighbour Notification (all addresses)</p> <p>The Owner/Occupier, 1 Donegall Square South,Belfast,Antrim,BT1 5JA, The Owner/Occupier, 12 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, 14 Donegall Square East,Belfast,Antrim,BT1 5HD, 34, Dungloe Crescent, Belfast, Antrim, Northern Ireland, BT11 9HZ The Owner/Occupier, 7 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, 8 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, 9 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Associated Employers (N I) Ltd,4-10 ,May Street,Belfast,Antrim,BT1 4NJ, The Owner/Occupier, Bank Of Ireland,1 Donegall Square South,Belfast,Antrim,BT1 5LR, The Owner/Occupier, Barclays Bank Plc,8 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Basement Bar,18 Donegall Square East,Belfast,Antrim,BT1 5HE, The Owner/Occupier, Belfast Barbering Company,2 May Street,Belfast,Antrim,BT1 4NJ, The Owner/Occupier, Campbell Hearing Aids Ltd,Offices Ground Floor,19-20 Clarence Chambers,Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Canada Life Assurance Co,Suite 9,19-20 Clarence Chambers,Donegall Square East,Belfast,Antrim,BT1 5HE, The Owner/Occupier, Cuba Cafe,7 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Cuba,9 Donegall Square East,Belfast,Antrim,BT1 5HD, The Owner/Occupier, Estates Management, Belfast City Council, 6th Floor, 9 Adelaide C/O Cecil Ward Building 4-10 Linenhall Street The Owner/Occupier, Ground Floor Front,5 Donegall Square South,Belfast,Antrim,BT1 5AN, The Owner/Occupier, Ground Floor Rear,5 Donegall Square South,Belfast,Antrim,BT1 5AN, The Owner/Occupier,</p>	

Irish Nationwide Building Society, 18 Donegall Square East, Belfast, Antrim, BT1 5HE,
 The Owner/Occupier,
 Irish Permanent Plc, Offices Ground Floor, 19-20 Clarence Chambers, Donegall Square East, Belfast, Antrim, BT1 5HE,
 The Owner/Occupier,
 Lambert Smith Hampton Group Ltd, 4-10, May Street, Belfast, Antrim, BT1 4NJ,
 The Owner/Occupier,
 Northern Ireland Housing Executive, The Housing Centre, 2 Adelaide Street, Belfast, Antrim, BT2 8PB,
 The Owner/Occupier,
 The Belfast Energy Efficiency Advice Centre, 1-11, May Street, Belfast, Antrim, BT1 4NA,
 The Owner/Occupier,
 Translink, Basement, 19-20 Clarence Chambers, Donegall Square East, Belfast, Antrim, BT1 5HE,
 The Owner/Occupier,
 Ulster Bank Ltd, 11-16, Donegall Square East, Belfast, Antrim, BT1 5UB,
 The Owner/Occupier,
 Wylie Property, 19-20 Clarence Chambers, Donegall Square East, Belfast, Antrim, BT1 5HD,

Date of Last Neighbour Notification	20 th May 2019
Date of EIA Determination	10 th August 2019
ES Requested	No

Planning History

Ref ID: Z/2014/0510/F

Proposal: Changing 1 No. grass pitch to 3G type pitch along with associated fencing + flood lighting (6no. 15m Columns)

Address: 290 Ormeau Road, Belfast, BT7 3GG,

Decision: PG

Decision Date: 23.02.2015

Ref ID: Z/1994/0211

Proposal: Extension to premises and change of use of existing kitchen/dining area to staff training unit

Address: ULIDIA CENTRE SOMERSET STREET BELFAST BT7

Decision: Permission Granted

Decision Date: 10.06.1994

Ref ID: LA04/2017/1748/PAN

Proposal: Demolition of existing structures on site. New build 7 classroom primary school with LSU and ASD unit, new build single unit Nursery School with associated parking, landscape works and external play areas.

Address: Ulidia Site (Formerly Ulidia Primary School), Somerset Street, Belfast, BT7 2GS.,

Decision: PAN Acceptable

Decision Date: 09.09.2016