

Committee Application

Development Management Report	
Application ID: LA04/2020/1974/F	Date of Committee: 18 May 2021
Proposal: Proposed erection of new station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building.	Location: Yorkgate Rail Station, Lands bounded by York Street, Dock Street, Whitla Street and M2 Motorway, Belfast
Referral Route: Transport Infrastructure planning application (not included within scheme of delegation)	
Recommendation: The Members of the Committee are asked to recommend that, in accordance with the Council decision of 4 th May 2021, the Chief Executive exercises her delegated authority to approve the application.	
Applicant Name and Address: Translink 3 Milewater Road Belfast BT3 9BG	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast
Executive Summary: The proposed development is for 'Proposed erection of new station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building'. The proposal relates to the redevelopment of the existing rail station. The railway infrastructure is already in place and the principle of development is considered acceptable. The site is not zoned for a use within BUAP or draft BMAP, however the site forms part of the Carrs Glen Community Greenway and is located adjacent to an arterial route, as designated within dBMAP. The BUAP proposed a Cross Harbour Rail Link, linking Yorkgate Rail Station with the main city railway line, an infrastructure project which has been completed. The SPPS promotes sustainable patterns of development, aims to improve connectivity and facilitate travel by public transport in preference to the private car. It also aims to ensure accessibility for all and promotes the provision of adequate cycling facilities in new developments. In terms of design, the proposed station building is of a high standard, the split-level nature of the building allows for substantial regrading of open space fronting the station which improves general access arrangements while giving the building increased presence. The proposal includes significant improvements to the public realm, including wider footpaths, seating areas, green spaces and improvements to the Whitla Street underpass in the form of upgraded lighting and painting of walls. Furthermore, the proposal includes a community garden, which is welcomed and will result in wider community benefits.	

Additional information has been submitted in relation to contamination, noise, travel, ecology, landscaping, tree impact, flood risk and drainage. No objections have been received from the relevant consultees or any third parties.

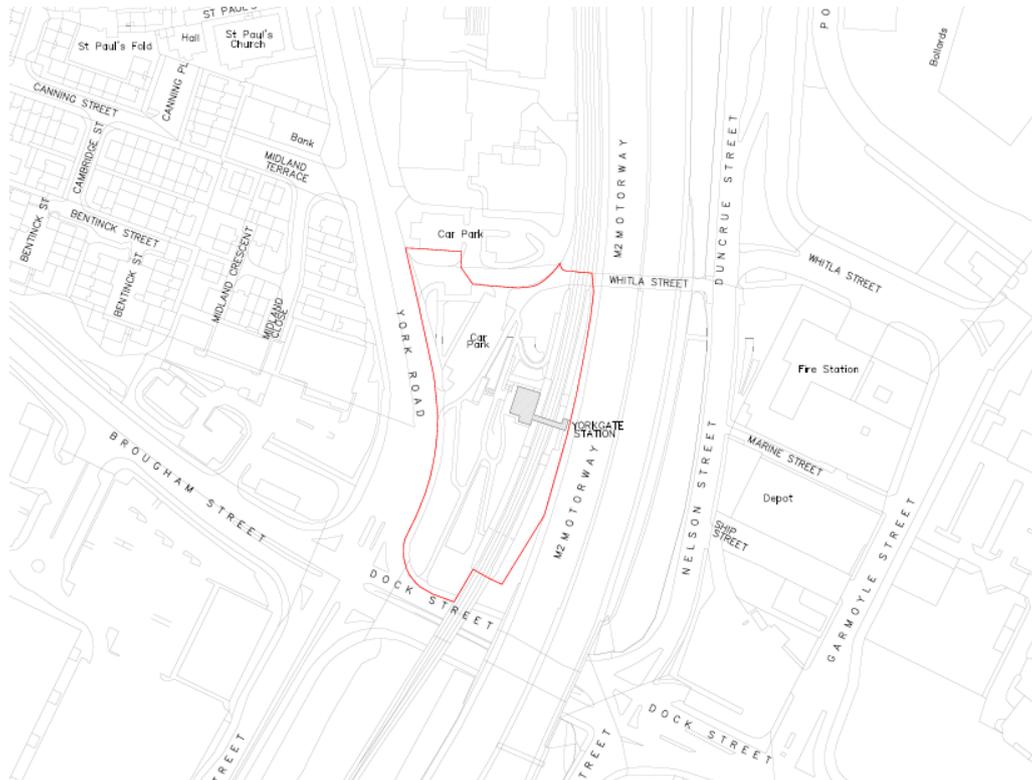
Recommendation:

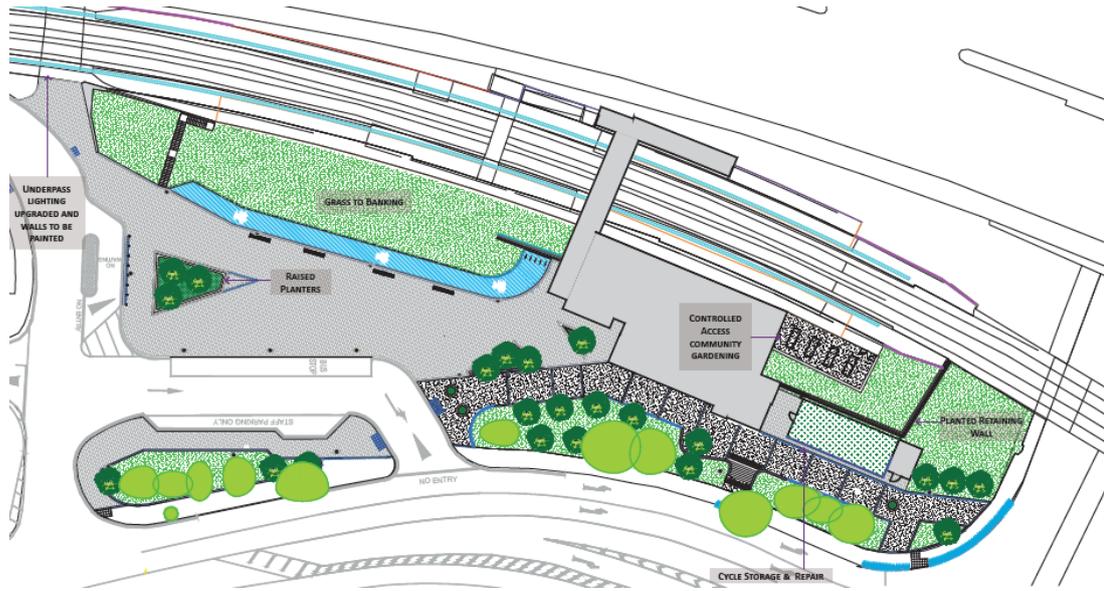
It is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of the conditions.

Characteristics of the Site and Area

1.0 Description of Proposed Development

- 1.1 The proposed development is for the 'Proposed erection of new station building, footbridge and platform canopies, cycle parking, bus and taxi drop off area, hard and soft landscape proposals, associated site works and demolition of existing station building'.
- 1.2 The new station building is a split-level building, with the lower ground floor providing street access eliminating the need for ramp access and the upper ground floor with concourse, waiting area, access to the platforms and other facilities. The building is proposed to be finished in a mix of materials, including corten steel and zinc cladding, grey facing brick, stone cladding and coloured glass. The proposal includes a bridge link providing access to both platforms.
- 1.3 The proposal includes a reconfiguration of the external layout, with additional pedestrian facilities, cycle parking, landscaping and bus / taxi drop off areas.





2.0 Description of Site

- 2.1 The application site covers the extent of Yorkgate Rail Station and is situated on an irregularly shaped site, bounded by York Street, Dock Street, Whitla Street and the M2 Motorway. The site measures approximately 0.9 hectares.
- 2.2 The existing rail station is 2 storeys in height and finished in a mix of red brick and metal cladding. The site slopes significantly from west to east, with existing parking facilities located on the western portion of the site, adjacent to York Street and Whitla Street. The building is located on higher ground to the east, with the two railway lines running along the eastern boundary, parallel to the M2 motorway.
- 2.3 The surrounding context is characterised by a mix of uses and is dominated by transport infrastructure. Commercial uses are located to the north and west of the site, including an Iceland Supermarket, petrol filling station and the large Yorkgate shopping complex to the south west. The rear of residential development at Midland Court is located to the west of the site on the opposite site of York Street. To the east of the site is the M2 Motorway and Belfast Harbour Area.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

3.1	Z/2012/0358/F - New pedestrian staircase built out of the side of existing over-track crossing to lead around station and out to entrance, and second staircase from east platform down bank to path at dock street – Granted 28/9/12
3.2	Z/2010/0600/LDP – Platform Extension – Permitted development.
3.3	Z/1991/2270 - Construction of an elevated railway including a new bridge over the River Lagan (Scheme A). This application is accompanied by an environmental statement as required under Planning (Assessment of Environmental Effects) - Granted
3.4	Z/1991/2271 - Construction of an elevated railway including a new bridge over the River Lagan (Scheme B) The application is accompanied by an environmental statement required under Planning (Assessment of Environmental Effects) - Granted
3.5	Z/1991/2272 - Construction of an elevated railway including a new bridge over the River Lagan (Scheme C) The application is accompanied by an environmental statement required under Planning (Assessment of Environmental Effects) – Granted
3.6	Z/1990/3139 - Railway halt and associated works – Granted
3.7	Z/1990/3143 - Widening of North bound carriageway of motorway. An Environmental statement accompanies this application – Granted
3.8	Z/1990/3158 - Extension of Larne Railway line to Dock Street and construction of new halt at Whitla Street/Dock Street. An Environmental Statement accompanies this application - Granted
4.0	Policy Framework
4.1	Belfast Urban Area Plan (BUAP)
4.2	Draft Belfast Metropolitan Plan 2015 (2004 and 2014) (dBMAP)
4.3	Regional Development Strategy (RDS) Strategic Planning Policy Statement (SPPS) PPS 2 Natural Heritage PPS 3 Access, Movement and Parking PPS 13 Transportation and Land Use PPS 15 Planning and Flood Risk
5.0	Statutory Consultees Responses
5.1	DFI Roads – No objection, subject to conditions
5.2	NIEA – No objection, subject to conditions
5.3	NI Water – No objection
6.0	Non-Statutory Consultees Responses
6.1	BCC Environmental Health – No objection, subject to conditions

6.2	Rivers Agency – No objection
6.3	BCC Tree and Landscaping – No objection, subject to conditions
6.4	BCC Transport and Infrastructure – No objection
6.5	BCC City and Regeneration – No objection
7.0	Representations
7.1	No representations have been received in relation to this proposed development.
8.0	Assessment
8.1	<p><u>Development Plan context</u></p> <p>Section 45 (1) of the Planning Act (Northern Ireland) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6(4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with dBMAP remaining a material consideration.</p>
8.2	<p>The site is not zoned for a use within BUAP or draft BMAP, however the site forms part of the Carrs Glen Community Greenway and is located adjacent to an arterial route, as designated within dBMAP. The BUAP proposed a Cross Harbour Rail Link, linking Yorkgate Rail Station with the main city railway line, an infrastructure project which has been completed.</p>
8.3	<p><u>SPPS</u></p> <p>The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council's Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9.</p>
8.4	<p>The SPPS promotes sustainable patterns of development that encourage active travel and aims to improve connectivity and facilitate travel by public transport in preference to the private car. The greater use of sustainable transport will assist in meeting regional targets in relation to greenhouse gas emissions, reducing carbon footprint, slowing climate change and improving air quality.</p>
8.5	<p>The SPPS also aims to ensure accessibility for all, with the needs of people with disabilities and others whose mobility is impaired given particular consideration. It also promotes the provision of adequate cycling facilities in new developments.</p>
8.6	<p><u>Principle of Development</u></p>

	<p>The proposal relates to the redevelopment of the existing rail station. The railway infrastructure is already in place and the principle of development is considered acceptable.</p>
8.7	<p><u>Design and character</u></p> <p>It is considered that the proposed station building is of a high standard of design. The proposed materials are considered acceptable, with the Council's Urban Design Unit (UD) advising that the proposed design results in a pleasant yet contrasting palette that utilises tones that pick up on red brick of surrounding buildings and helps soften and integrate the building into the landscape. It is also noted that the overall height of the proposed building will be lower than that existing, resulting in a less prominent building within the landscape. The split-level nature of the building allows for substantial regrading of open space fronting the station which improves general access arrangements while giving the building increased presence. The proposal includes significant improvements to the public realm, including wider footpaths, seating areas, green spaces and improvements to the Whitla Street underpass in the form of upgraded lighting and painting of walls. Furthermore, the proposal includes a community garden, which is welcomed and will result in wider community benefits.</p>
8.8	<p><u>Access, Movement and Connectivity</u></p> <p>The proposed split-level design of the new station building results in enhanced accessibility, with the removal of existing ramp accesses to the station. The station is now accessed at lower ground level, with lift, stair and escalator access to upper ground floor level where the main facilities are located. The proposed layout also includes enhanced pedestrian facilities.</p>
8.9	<p>79 no. cycle parking spaces are proposed adjacent to the main station building and bus stop and taxi drop off facilities are included, thereby encouraging active travel and sustainable transport modes.</p>
8.10	<p>The proposal also includes improvement works to the Whitla Street underpass to the north of the rail station. This underpass represents a key cycle and pedestrian route linking the station and York street with Duncrue Street and the wider Harbour area. In the event of approval, an appropriate condition should be added to secure these improvement works.</p>
8.11	<p>The proposal results in a reduced standard of car parking at the site, however no objections have been raised by any consultees, as the proposed scheme offers alternative and active transport arrangements. Furthermore, public parking is available in close proximity to the site. The Transport Assessment Form (TAF) advises that these parking spaces have been removed to allow improved public realm and improved access to the station for pedestrians and cyclists.</p>
8.12	<p>It is noted that the submitted TAF does not provide any information on journeys to the site as passenger growth and associated journeys are independent of the development. The TAF advises that passenger growth is led by external factors, for example, the opening of University of Ulster Campus. It is considered the proposed station will be better able to accommodate additional passengers that arise as a result of nearby developments.</p>
8.13	<p>DFI Roads have provided comments on the proposal and offered no objections, subject to conditions.</p>
8.14	<p><u>Impact on trees / Landscaping</u></p>

	<p>The proposed development results in the felling of a number of existing trees within the site. BCC's Tree and Landscaping Officer (TO) has advised that tree retention is always preferred to replacement planting however it is acknowledged that all but one of the trees to be felled are either early mature or semi-mature and therefore easier to replace. Furthermore, many of these trees have been identified as in poor condition. The TO advises that the proposed landscaping will ensure plenty of greening to assist integration. An additional 22 replacement trees are proposed which will contribute to the visual amenity of the proposed site. The TO has offered no objections to the proposal, subject to conditions.</p>
8.15	<p><u>Contamination</u> Preliminary and Generic Quantitative Risk Assessments (PRA / GQRA) have been submitted in support of the proposal. NIEA Regulation Unit (RU) and BCC Environmental Health (EHO) have provided comments on the contamination information. The PRA concludes that the site does not pose an unacceptable risk to the water environment and the GQRA indicates that groundwater at the site is not of reduced quality. The Assessment does however identify potential unacceptable risk to human health from carbon dioxide ground gas, with remedial measures proposed to mitigate these risks. EHO identified potential issue with the proposed community garden, however the consultant has provided mitigation measures to negate any impact on the garden area. RU and EHO have confirmed they have no objections to the proposal, subject to conditions.</p>
8.16	<p><u>Amenity (Air Quality, Noise)</u> The proposed development lies close to the M1/Westlink Air Quality Management Area (AQMA) where air quality is of concern. No details have been provided on proposed combustion system(s) and associated flues and emission rates. EHO advise that any combustion plant where the single or combined NOx emission rate is more than 5mg/sec could give rise to air quality impacts and have suggested an appropriate negative condition in the event of approval.</p>
8.17	<p>A Noise Impact Assessment (NIA) has been submitted in support of the proposal. EHO have provided comment and welcomed the assessment of associated plant noise in respect of nearby residential properties. EHO have provided a condition in relation to noise in the event of approval.</p>
8.18	<p><u>Sewage infrastructure</u> NI Water (NIW) responded to a Pre development Enquiry (PDE) regarding the proposed development in December 2020. The PDE advises that the receiving Waste water treatment facility has sufficient capacity to serve the proposal, however there is no public storm sewer available to serve the proposal. NIW advise that the developer should liaise with Rivers Agency to address this issue. It is considered that this issue can be dealt with by way of a negative condition.</p>
8.19	<p><u>Flooding & Drainage</u> Part of the site lies within the 1 in 200-year coastal flood plain, therefore Policy FLD 1 of PPS 15 is applicable to the proposal. The proposal involves the replacement of a building therefore is deemed an exception to the policy. Consequently, a Flood risk assessment (FRA) has been submitted, which DFI Rivers Agency have assessed and do not dispute its conclusions.</p>
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<p>8.21</p> <p>8.22</p>	<p>A Drainage Assessment (DA) has also been submitted in accordance with Policy FLD 3 of PPS 15. DFI Rivers Agency accept the logic of the DA and advise they have no reason to disagree with its conclusions.</p> <p>Dfi Rivers Agency reservoir inundation maps indicate that part of this site is in a potential area of inundation emanating from Antrim Road Waterworks Upper Reservoir. However, they have advised that Antrim Road Waterworks Upper Reservoir has 'Responsible Reservoir Manager Status'. Consequently, DFI Rivers Agency has no reason to object to the proposal from a reservoir flood risk perspective.</p> <p><u>Ecology</u></p> <p>An Ecology survey report was submitted in support of the proposal. NIEA Natural Environment Division (NED) are content that the ecologist has considered potential impacts on protected / priority species as a result of the proposal. No priority habitats exist within or surrounding the application site. NED note that the structures / vegetation on site offer very limited opportunities for protected / priority species. The ecologist has assessed the existing buildings and associated structures as having negligible bat roosting potential, therefore impacts on bats as a result of the proposal are not considered likely. However, NED advise that should any evidence of bats be discovered during works, then all works must cease and advice sought from the NIEA Wildlife Team on how to proceed. In summary, NED are content with the proposal.</p>
<p>9.0</p> <p>9.1</p>	<p>Summary of Recommendation: APPROVAL</p> <p>It is considered that the proposed development complies with the tests of the Development Plan and retained planning policy, therefore recommendation is to approve, subject to conditions. It is recommended that the Chief Executive, or her nominated officer, uses her delegated authority to finalise the wording of conditions.</p>
<p>10.0</p>	<p>Conditions</p> <p>1. 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) 2011.</p> <p>2. The vehicular access, including visibility splays and any associated works to the public road, shall be provided in accordance with Drawing No. 07A, uploaded to the planning portal on 16th March 2021</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>3. The area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted becomes operational 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>4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No. 06A, uploaded to the planning portal on 16th March 2021 to provide for parking within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.</p> <p>REASON: To ensure adequate provision has been made for parking within the site.</p> <p>5. The development hereby permitted shall not become operational until cycle parking facilities have been provided in accordance with Drawing No. 06A, uploaded to the planning portal on 16th March 2021.</p> <p>REASON: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.</p> <p>6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on drawing No. C0778/DCL/YS/XX/DR/C/00014 Revision 001, bearing the Department for Infrastructure Determination date stamp 4th May 2021.</p> <p>REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.</p> <p>7. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.</p> <p>No part of the development hereby permitted shall be occupied until the works necessary for the improvement of the public road have been completed in accordance with the details outlined in blue on drawing No. C0778/DCL/YS/XX/DR/C/00014 Revision 001, bearing the Department for Infrastructure Determination date stamp 4th May 2021. The Department hereby attaches to the determination a requirement under Article 3(4)A of the above Order that such works shall be carried out in Accordance with an agreement under Article 3(4)C.</p> <p>REASON: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.</p> <p>8. All existing trees on the site with the exception of those identified for felling on stamped approved Drawing No. 11A uploaded to the Planning Portal on 16th March 2021, shall be permanently retained. No retained tree shall be cut down, uprooted or destroyed or have its roots disturbed within the root protection area nor shall arboriculture work or tree surgery take place without the written consent of the Council.</p> <p>Reason: To ensure the continuity of amenity afforded by existing trees.</p> <p>9. If any retained tree is removed, uprooted or destroyed or dies, another tree or trees shall be planted at the same place and that tree shall be of</p>
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such size and species and shall be planted at such time as specified in writing by the Council.

Reason: To ensure the continuity of amenity afforded by existing trees.

10. No equipment, machinery or materials are to be brought on the site for the purpose of the development, including demolition and site clearance, until tree protection measures for any trees to be retained have been put in place in accordance with recommendations in the John Morris Arboricultural Consultancy Arboricultural Impact Assessment and Method Statement ref. 20-145-04_v2, dated 11 March 2021 uploaded to the Planning Portal on 16th March 2021. These protection measures shall remain in place until the construction works hereby approved are complete and all plant and machinery has been removed from the site. Within the fenced area no activities associated with building operations shall take place, no storage of materials, and the ground levels within those areas shall not be altered.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development works to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

11. Any excavation and or construction within the Root Protection Area of any existing tree shall be carried out in accordance with recommendations outlined in John Morris Arboricultural Consultancy Arboricultural Impact Assessment and Method Statement ref. 20-145-04_v2, dated 11 March 2021 uploaded to the Planning Portal on 16th March 2021.

Reason: To avoid damage to tree roots.

12. No development shall take place until a revised landscaping scheme has been submitted to and approved in writing by the Council. The scheme of planting as finally approved shall be carried out prior to the occupation development hereby approved or before the end of the first planting season after occupation, whatever is sooner, and shall be permanently retained thereafter or unless otherwise agreed in writing by the Council.

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

13. Any new trees or plants that are dead or dying, removed or are seriously damaged within five years of being planted shall be replaced within next planting season with others of a similar size and species, unless the Council gives written consent to any variation.

Reason: In the interest of visual amenity and to ensure the provision, establishment and maintenance of a high standard of landscape.

14. The development hereby approved shall not be occupied until a long-term landscape management and maintenance plan has been submitted to and agreed by Belfast City Council. Once completed, all soft landscaping shall be managed and maintained in accordance with this plan.

Reason: In the interest of visual amenity.

15. Prior to the operation of the hereby permitted development, the applicant shall provide to and have agreed in writing by the Planning Authority, a Verification Report. This report must demonstrate that the remediation measures outlined in the Pentland Macdonald Generic Quantitative Risk Assessment (GQRA) and Remediation Strategy, Report no :PM20-1006 dated April 2020 and the Pentland MacDonald document ?Additional Contaminated Land Information? document reference number PM20-1006_Let1 dated 9 November 2020 have been implemented.

The Verification Report shall demonstrate the successful completion of the remediation works and that the site is now fit for end use. It must demonstrate that the identified contaminant-pathway-target linkages as outlined in the Pentland Mac Donald Report 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:

- Gas protection measures commensurate with Gas Characteristic Situation 2 have been designed and installed in accordance with BS 8485 and their installation has been verified in line with Ciria C735.
- That all raised planters within the controlled community gardening area have been finished with a 0.5m layer of clean imported soil, demonstrably suitable for end use (residential with plant uptake).

Reason: Protection of human health

16. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.

Reason: Protection of human health.

17. If during the development works, new contamination and risks are encountered which has 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/land-contamination-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 to its satisfaction.

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

18. After completing any remediation works required under Condition 17, and prior to operation 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/land-contaminationhow-to-manage-the-risks>. The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

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

19. In the event that the hereby permitted development is to include any central combustion plant for heating and/or hot water where the single or combined NO_x emission rate is greater than 5mg/sec, full specification details, including emission rates and flue termination heights of the proposed combustion system and if necessary an air quality assessment shall be submitted to and approved in writing by the planning authority. The information submitted must demonstrate that the proposed combustion system will not have a significant adverse air quality impact on human health.

Reason: Protection of human health.

20. The rating level (dBL_{A,r,T}) from the operation of all combined plant and equipment should not exceed the existing daytime and night-time background sound level respectively at the nearest sound 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

21. Prior to the operation of the hereby approved development, details of the improvement works to the Whitla Street Underpass shall be submitted to and approved by the Council. These approved works shall be implemented and operational within 6 months of the operation of the hereby approved development.

Reason: To improve the environmental quality for end users.

22. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, have been submitted to and approved, in writing, by the Council. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to allow the Council to control the external appearance.

23. No development shall commence on site until details of surface water drainage have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate drainage of the site.

Notification to Department (if relevant)

Representations from Elected members:

N/A