

## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 21 October 2021	<b>Item Number:</b>
<b>Application ID:</b> LA04/2021/1520/F	<b>Target Date:</b>
<b>Proposal:</b> Material change of use from 2No. first floor offices to an after-school care facility, within Teach Basil.	<b>Location:</b> Belfast Media Group Teach Basil 2 Hannahstown Hill Belfast BT17 0LT
<b>Referral Route:</b> Officer recommendation to approve planning permission is contrary to a statutory consultee's recommendation - Northern Ireland Water	
<b>Recommendation: Approve subject to conditions</b>	
<b>Applicant Name and Address:</b> Teach Mhamo 2a Glen Road Heights Belfast BT11 8RB	<b>Agent Name and Address:</b> ARdMackel Architects 2 Hannahstown Hill Belfast BT17 0LT
<p><b>Executive Summary:</b> The application seeks full planning permission to change the use of 2no. offices at first floor level to an after-school care facility at Teach Basil – a building that currently accommodates the 'Belfast Media Group'.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>- Principle of Development - the proposal is contrary to development plan zoning of Draft BMAP as a 'major area of existing employment / industry' and the BUAP 2001 as 'Area of Industry and Commerce.</li> <li>- Impact of the proposal with regard to the treatment of wastewater - Northern Ireland Water (NIW) has recommended refusal of the proposal based on unavailable capacity at the local wastewater treatment works.</li> </ul> <p>Whilst the proposed use is contrary to Policy, it is considered that the scale of the proposed change of use relative to the scale of the zoning, will not adversely impact the employment zoning in the longer term, having regard to the development plan, Policy PED7 of PPS4 and the SPPS providing it is granted for a temporary 3 year period which will allow the operators an opportunity to find alternative accommodation.</p> <p>It is acknowledged that NI Water have recommended refusal of the application on the basis that the public sewer system cannot presently serve this development proposal without significant risk of environmental harm and public dis-amenity including pollution, flooding and detrimental impact on existing properties. However, NI Water have not provided any detailed evidence to support that objection. Officers are of the view that the scale of this change of use, would have no greater impact on the sewer network than the existing lawful use of the building as newspaper offices and thus would not result in a significant impact. The offices and printing presses have a lawful use on the site that can accommodate 120 staff as existing and with approval of this proposal will accommodate 20 existing staff, 30 children and 6 creche staff (total 56) under this proposal. Therefore, a net reduction of 64 people on site. It is difficult therefore to conclude on the basis of</p>	

the evidence before the Council that the use proposed of itself would result in a greater or significant impact to the sewer network.

No representations have been received.

DFI Roads and BCC Environmental Health offer no objection to the proposal.

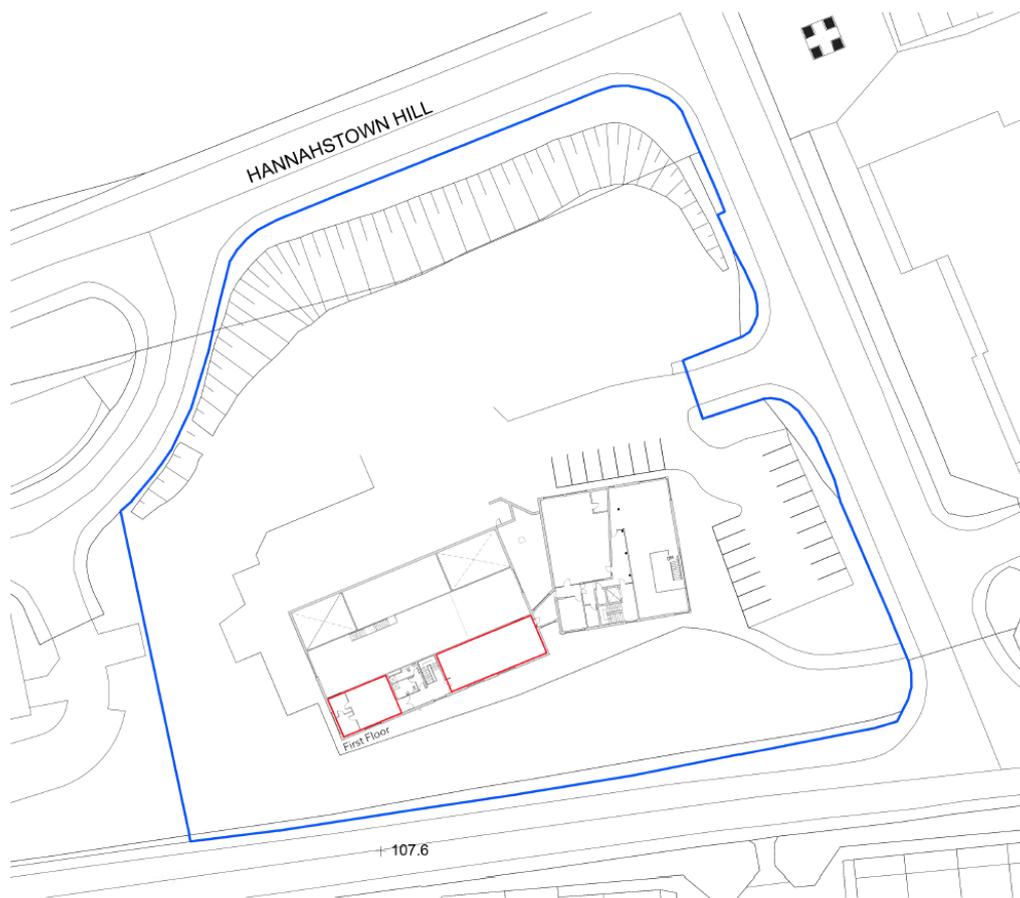
**Recommendation:**

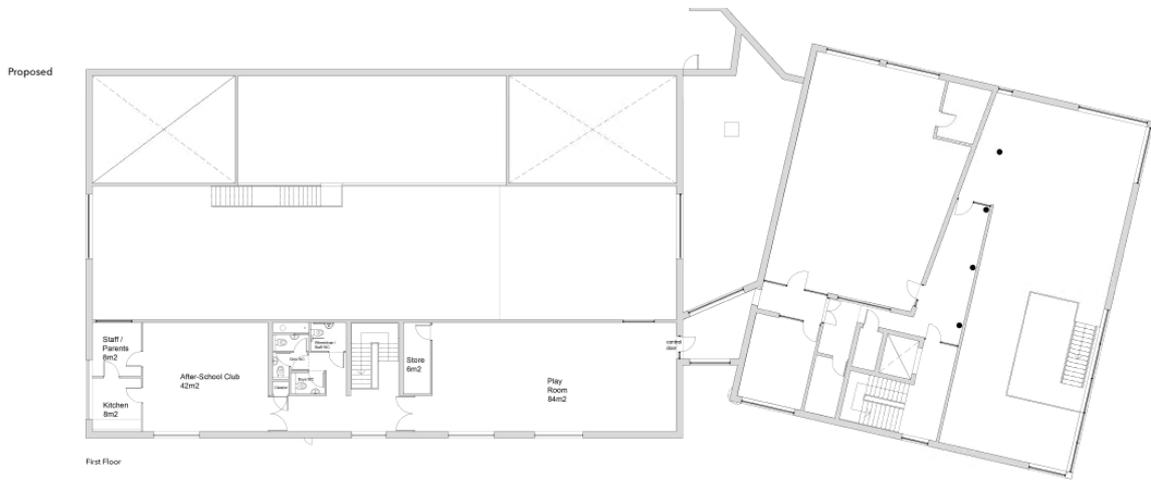
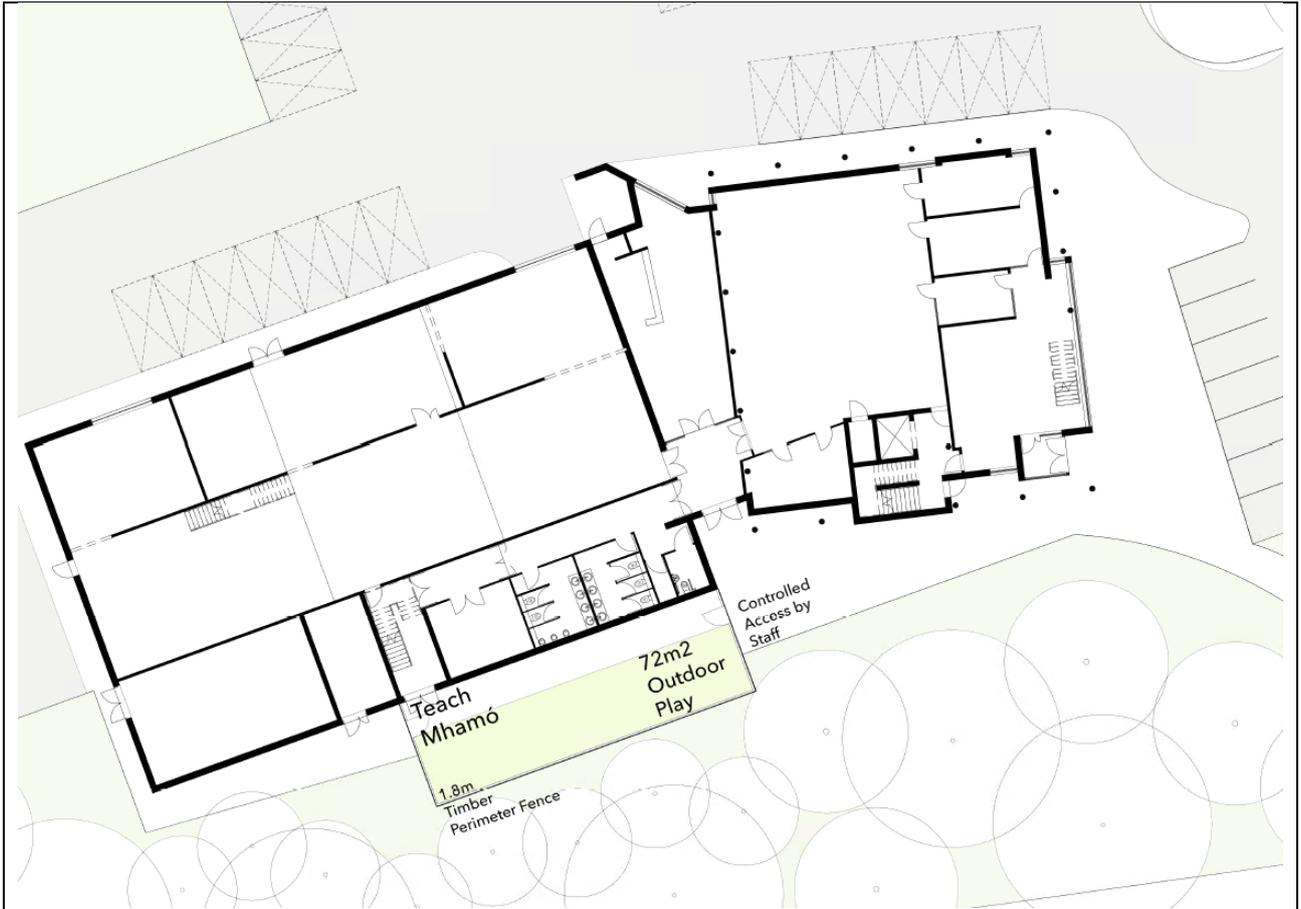
Having considered the development plan and planning policies and other material considerations, the proposed development, on balance is considered to be acceptable for a temporary period of 3 years.

The recommendation is to grant planning permission with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

# Case Officer Report

## Site Location Plan





<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<p><b>Description of Proposed Development</b></p> <p>The proposal is for a change of use from offices to an afterschool care facility on the first floor of 'Teach Basil'. The facility would be located in space which is currently office space covering an area of 184sqm. The space is made up of 2no. rooms and a bathroom with separate disabled toilet.</p> <p>72sqm of outdoor play space would be incorporated adjacent to the ground floor entrance of the building, the outdoor space would have controlled access and would be enclosed by a 1.8m timer fence.</p> <p>A maximum of 30 children over the age of 5 years old and 6 members of staff would use the facility. It is proposed the facility would operate from 1.30pm – 6pm throughout term time, and 8am-6pm during the school holidays.</p>
<b>2.0</b>	<p><b>Description of Site</b></p> <p>The site is located at the bottom left side of Hannahstown Hill travelling out of town, close to the junction with the Glen Road. It is accessed from Hannahstown Hill.</p> <p>Teach Basil is a detached 2 storey brick building. It has generous grounds and is enclosed by hedges, shrubbery and lawn. There is space to park 20no. cars or more.</p> <p>The building is home to Belfast Media Group. The media offices formerly accommodated 120 staff, however, over recent years due to market conditions the printing press ceased operation and the media house undertook extensive restructuring and the operational capacity is currently circa 20 staff members.</p> <p>The industrial estate is a mix of light industrial uses with Farrells Carpet warehouse, building material supplies and 'Work West' industrial close by. High density residential is located directly opposite Teach Basil on the south side of Glen Road.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<p><b>Site History</b></p> <p><b>Z/2004/1881/F</b> - New glazed link corridor at first floor level over an existing single storey block, linking offices and plant room at first floor level – Permission Granted 19.10.2004</p> <p><b>Z/1998/2557</b> – Constriction of new printing works and associated offices – Permission Granted</p> <p><b>Z/2007/2798</b> - New printing works and associated offices – Permission Granted</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	RDS 2035
4.2	Strategic Planning Policy Statement NI 2015
4.3	Belfast Urban Area Plan 2001
4.4	Draft Belfast Metropolitan Area Plan 2004 and 2015
4.5	Planning Policy Statement 3: Access, Movement and Parking
4.6	Planning Policy Statement 4: Planning and Economic Development
4.7	Parking Standards

4.8	Development Control Advice Note (DCAN) 13 - Creches, Day nurseries and pre-school play groups.
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.3	DFI -Roads – DFI Roads have offered no objection to the proposal subject to a number of informatives.
5.4	<p>NI Water – NIW have recommended refusal as sufficient waste water treatment capacity is not available to service the proposed development.</p> <p>NIW state that the public system cannot presently serve this development proposal without significant risk of environmental harm and public dis-amenity including pollution, flooding and detrimental impact on existing properties. NI Water has no plans to upgrade the waste water system in this drainage area and is recommending connections to the system are curtailed. The developer has been in contact with NIW to discuss its objection but they have been unable to meet a resolution.</p>
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
6.1	<p>BCC Environmental Health Environmental Health have no objection but have asked for a condition to be attached that if during development works, new contamination is identified, that planning service should be notified and contamination investigate with associated reports undertaken.</p> <p>With regard to noise levels, EH suggest an informative is included that insulation should be considered if noise levels disturb adjacent offices.</p>
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. No comments have been received.
<b>8.0</b>	<b>Other Material Considerations</b> None
<b>9.0</b>	<b>Assessment</b>
9.1	<p><b>Principle of Development</b></p> <p>The site is located in a 'Major area of existing employment/Industry' in both versions of dBMAP 2004, 2015 (BT011/28) and in an Area of Industry and Commerce in BUAP 2001. Both Policy PED7 of PPS4 and the SPPS advises against proposals which would result in the loss of land/ buildings zoned for economic development use unless the land is substantially developed for alternate uses. Policy PED 7 further advises an exception will be permitted for an employment use where it can be demonstrated that the proposal is compatible with the predominant industrial use and it is of scale, nature and form appropriate to the location, and provided approval will not lead to a significant diminution of the industrial/employment land resource in the locality.</p> <p>In this instance the proposed change of use is contrary to the local development plan designation. The agent has forwarded a supporting statement explaining why this development should be considered acceptable, despite being contrary to local development plan designation.</p> <p>It is noted that the building is located in an area of existing employment, however the setting of the building differs from nearby neighbouring employment complexes in the same zoning, which offer mixed use commercial and industrial units. Teach Basil is a standalone building, with substantial buffer / planting screening it off from the Glen Road and surrounding sites, and so is more suited to accommodating a childcare facility.</p>

	<p>The agent advises that the current employment facility – Belfast Media group has undergone restructuring in recent years, resulting in the closure of printing presses and abandonment of some office space that supported this operation which has remained vacant for over 3 years. The proposal for a change of use at Teach Basil is to help relocate a business within the local area rather than displace it.</p> <p>The current proposal would result in a minor change of use of approx. 184 sqm of floorspace. Given the minor scale of the proposal which will maintain employment within the local area, the current use of the site and its setting and mixed nature of uses of the wider employment zoning, on balance the principle of the change of use for a childcare facility is considered acceptable on a temporary basis, having regard to the development plan, SPPS and PPS4.</p>
9.2	<p><b>Impact on amenity</b></p> <p>The use of the space as afterschool facility can run alongside the office use in place on a temporary basis. There is sufficient separation distances to the surrounding land uses. Environmental Health at BCC are satisfied that noise levels and other considerations can be managed by the owner of the building at this location. Proposal is considered to accord with PPS4 and the SPPS in this regard.</p>
9.3	<p><b>DCAN 13 - Creches Day nurseries and pre-school play groups.</b></p> <p>Paragraph 7 infers that an industrial location is acceptable for a childcare facility so long as it is an ancillary use. The proposed use would be ancillary to that of the wider site. An area of approx. 72 sq. m of outdoor play space is to be provided in a suitable location. In terms of DCAN 13 the proposal is acceptable.</p>
9.4	<p><b>Infrastructure Capacity</b></p> <p>NI Water have objected to the proposal on the basis that there is insufficient waste water treatment capacity available to service the proposed development. They have advised that the public system cannot presently serve this development proposal without significant risk of environmental harm and public dis-amenity including pollution, flooding and detrimental impact on existing properties. To date, NI Water have not provided evidence to support their objection and why this particular minor proposal would lead to a significant impact upon the sewer network. Any further information received will be reported as an update to Committee.</p> <p>The proposal is for a minor change of use to an existing building which previously accommodated approximately 120 members of staff, however since restructuring this has reduced to 20 staff. The proposed change of use to an after-school facility will for the majority of the time be operating for a few hours a day (1pm – 6pm) with 6 members of staff and 15-30 children. Having regard to the existing lawful use of the building and its capacity, Officers' are of the view that the proposal would unlikely have greater impact on the sewer network and thus would not result in a significant impact.</p> <p>Importantly, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development, which includes un-implemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will not all come forward at once. In practical terms it would be unreasonable for the Council to withhold planning permission for the proposed development given NI Water's pre-existing commitments to connect to significant levels of un-implemented development. Moreover, NI Water has not provided evidence that the proposed development would have a direct and detrimental impact on waste-water infrastructure, particularly in the context of impacts over and above what has already been committed across the city.</p>

	For these reasons' officers are of the view that it would be unreasonable to refuse this application based on NI Water objection.
9.5	Having regard to the development plan and planning policies and other material considerations, the proposed development, on balance is considered to be acceptable for a temporary period of 3 years.
<b>10.0</b>	<b>Summary of Recommendation: Temporary Approval</b>
<b>11.0</b>	<b>Conditions:</b>
<b>11.1</b>	The permission hereby granted is for a limited period of three years only. The use shall cease to operate 3 years from the date of this decision notice. Reason: To protect the employment/industry zoning.
<b>11.2</b>	The facility hereby granted shall operate Monday to Friday between the hours of 1300-1800hrs during school term time and from 8am-6pm Monday to Friday during school holidays only. Reason: Protection of amenity
<b>11.3</b>	If during 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 by 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.
<b>12.0</b>	<b>Informatives</b>
12.1	Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent roads by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor.
12.2	All construction plant and materials shall be stored within the curtilage of the site
12.3	The applicant is advised of the need to comply with the requirements of the Water and Sewerage Service (NI) Order 2006 and in this respect you are advised to contact Northern Ireland Water Limited.
<b>Notification to Department (if relevant):</b> Not required	
<b>Representations from Elected members:</b> <b>Cllr Carson - Update on application only</b>	

