

Derry City and Strabane District Council Planning Committee Report

COMMITTEE DATE:	2 nd November 2016
APPLICATION No:	A/2014/0553/F
APPLICATION TYPE:	Full
PROPOSAL:	Proposed two storey police custody suite with associated onsite parking and additional external works to include new public pedestrian access via Crescent Link, the relocation of existing bus stop and existing vehicle/pedestrian emergency exit gates along Crescent Link, introduction of a pedestrian roadside guarding and adjustments to junction of Lisnagelvin Road.
LOCATION:	51a Richill Park, Londonderry
APPLICANT:	Estate Service Business Unit
AGENT:	Estate Service Business Unit
ADVERTISEMENT:	05.09.2016
STATUTORY EXPIRY:	20.09.2016
RECOMMENDATION:	Approve
REASON FOR PRESENTATION TO COMMITTEE:	Major application-site exceeds 1 hectare in accordance with The Planning (Development Management) Regulations (Northern Ireland) schedule of Major Development Thresholds Part 7 (b).

All planning application forms, drawings, consultation responses, letters etc. relating to this planning application are available to view on www.planningni.gov.uk

1. Description of Proposed Development

The extension to the existing PSNI station will include a two storey custody suite with internal vehicle dock. The proposal also provides pedestrian access from the Crescent Link into the proposed Custody Suite. Additional security measure in the form of a vehicle restraint railing will also be incorporated along the Crescent link dual carriageway. This is a 1100mm railing along the roadside boundary. The proposal also includes the relocation of the existing bus stop further to the east along the Crescent Link. The ground floor is to accommodate reception, offices and

custody suites. The first floor element of the proposal is to house offices, two plant rooms, kitchen, changing and storage.

This application was previously presented to Members on 18th May 2016. The Members raised concerns regarding the proposed Extrudakerb barrier along the Crescent Link Road. These concerns were discussed with the agent and amended plans have been received proposing a 1100mm steel traffic barrier between steel bollards. Re neighbour notification and re-advertisement of the proposal was carried out.

A letter of objection was received although this did not raise any specific issues regarding the proposed railing. The objection will be considered in detail later in my report under para 9.

- 2. EIA Determination-** As the development is within Category 10 (b) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (NI) 2015 the Council is obliged to under Regulation 10 (1) of these regulations to make a determination as to whether the application is for EIA development. The Local Planning Authority has determined that the planning application does not require to be accompanied by an Environmental Statement.

3. Site and Surrounding Area

The site is located on the northern side of the Crescent link at its junction with the entrance to Altnagelvin Hospital. The site, 51a Richill Park is the Waterside PSNI Station. The site is enclosed by a large security wall and fencing. The main existing vehicle access to the site is via Richill Park.

The site is located within the development limits of Derry as defined in the Derry Area Plan 2011 and deemed white land on Map 2 'City Map'.

Figure 1 Site Location Map

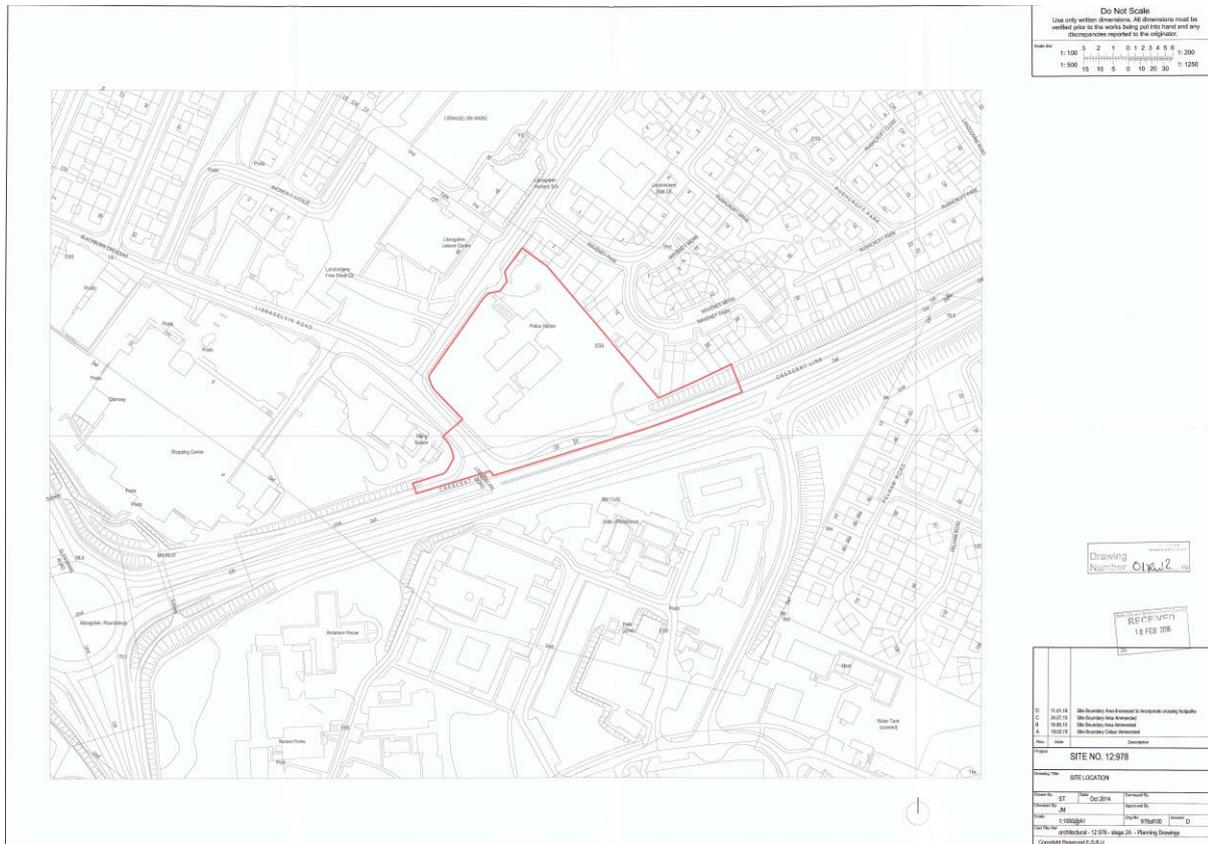


Figure 2 Site Frontage along Crescent Link Road



Figure 3 Site Frontage along Crescent Link Road



4. Site Constraints

No particular constraints have been identified for the site

5. Neighbour Notification Report

Date of notifications are as follows: 01/12/2014, 24/03/2015, 31/08/2016. Expiry 14/09/2016

6. Relevant Site History

Waterside PSNI Station

LA11/2015/0235/F- Permission granted for a New central gatehouse building located behind existing main entrance gates with associated parking

A/2002/0249/A- Permission granted Consent to display a projecting sign

A/1981/0818- Permission granted RUC Sub-Divisional Headquarters

A/1978/00759- Permission granted RUC Sub-Divisional Headquarters

7. Policy Framework

Regional Development Strategy for Northern Ireland 2035

Derry Area Plan 2011

Strategic Planning Policy Statement for Northern Ireland' - Planning for Sustainable Development

Planning Policy Statement 3: Access, Movement and Parking

8. Consultee Responses

Transport NI-

TNI have advised that the site is bounded by strategically important protected routes and their primary concern was that the transport impact of this application was sufficiently assessed and appropriately addressed. Transport NI have no objection subject to conditions and informatives.

Environmental Health

Environmental Health Department advised that the proposed development is located adjacent to existing residential/commercial property. The developer should be advised by way of an informative to ensure that adequate steps are taken during demolition/construction to control noise and dust. Adequate arrangements should be in place for the storage and disposal of waste.

Northern Ireland Water

No objection subject to informatives. NI Water have advised that although NIW infrastructure is available within 20m of the proposal that consultation is required at an early design stage by means of predevelopment enquiry to determine how the proposal will be served.

9. Representations Consideration

1. Objection to the proposal. This objection was received on 13th September 2016. Issues raised are as follows:

- **This is a built up area with a school, busy supermarket and residential properties. I am worried about community safety and well being due to the nature of the usage of the site ar Crescent Link regardless**

Consideration:- this proposal is for an extension to the PSNI station. The pedestrian access to the custody suite is via the Crescent Link road away from residential properties. The PSNI station is in situ and all measures have been implemented to address any concerns with regards to access to the Custody suite. Due to the nature of the proposal and the existing use as a PSNI station, the Local Planning Authority are of the opinion that there will be no detrimental impact upon community safety within the locality.

- **Noise issues for homes and residents adjacent to the site will become a problem due to the movement of traffic in and around the site.**

Consideration- the proposal is an extension of a fully operational PSNI station. EHD have made comment and are content with the proposal and the potential impact upon 3rd parties. Further to this the site is already located at a busy junction and on a trans frontier route. The Local Planning Authority are of the opinion that this not likely to be a significant increase in the noise resulting from increased traffic movements.

- **The development of this site as a custody suite, as evidence shows, could also depreciate the value of surrounding homes and would make sale of property very difficult**

Consideration- this proposal is for an extension to the existing PSNI station. The service provision is already insitu and the LPA are of the opinion that the proposal will not have any additional detrimental impact upon the amenity of residents and character of the area. Depreciation of value of property is not a material consideration that can be afforded any determining weight.

10. Planning Assessment and Other Material Considerations

Section 6 (4) of The Planning Act (Northern Ireland) 2011 requires the Council to make planning decisions in accordance with the local development plan, unless material considerations indicate otherwise.

This proposal has been assessed against the policy framework listed in Paragraph7.

The site is located within the development limits of Derry as defined in the development limits of Derry Area Plan 2011. The site is identified as being white land within the Central Area in Map 2 'City Map'.

The following policies and proposals within the Derry Area Plan are material considerations in this application; Policy BE1

Policy BE1- Urban Design

The Department will require development proposals to make a positive contribution to townscape and be sensitive to the character of the area surrounding the site in terms of design, scale and use of materials. Development proposals should respect the opportunities and constraints of the specific site and have regard to the potential to create a new sense of place through sensitive design.

Due to the nature of the proposal, security measures have to be implemented within the design concept. These security features include the omission of any ledges, fenestration and the adoption of blast proof walls. This proposal also entails the provision of a 1100mm railing along the Crescent Link foot path.

This proposal also includes the relocation of the existing bus stop further to the east along the Crescent Link. The location has been agreed by Translink and Transport NI.

The proposed design is in response to the nature of the use of the site. In this instance the design is deemed to be acceptable. This area has no defined character. There is a mix of retail, residential and public service buildings. The proposed design ties in with the existing structures within the PSNI Station and in the wider context within the vicinity. The design also has to reflect the need a secure working environment. The southern elements of the design will tie in with the existing wall structure to present a large two storey façade fronting onto Crescent link. It is my professional opinion that the proposal will comply with the requirements of this policy.

This proposal also includes the relocation of the existing bus stop further to the east along the Crescent Link. The location has been agreed by Translink and Transport NI.

Figure 4 Proposed block plan



Figure 5 Overview of Proposal

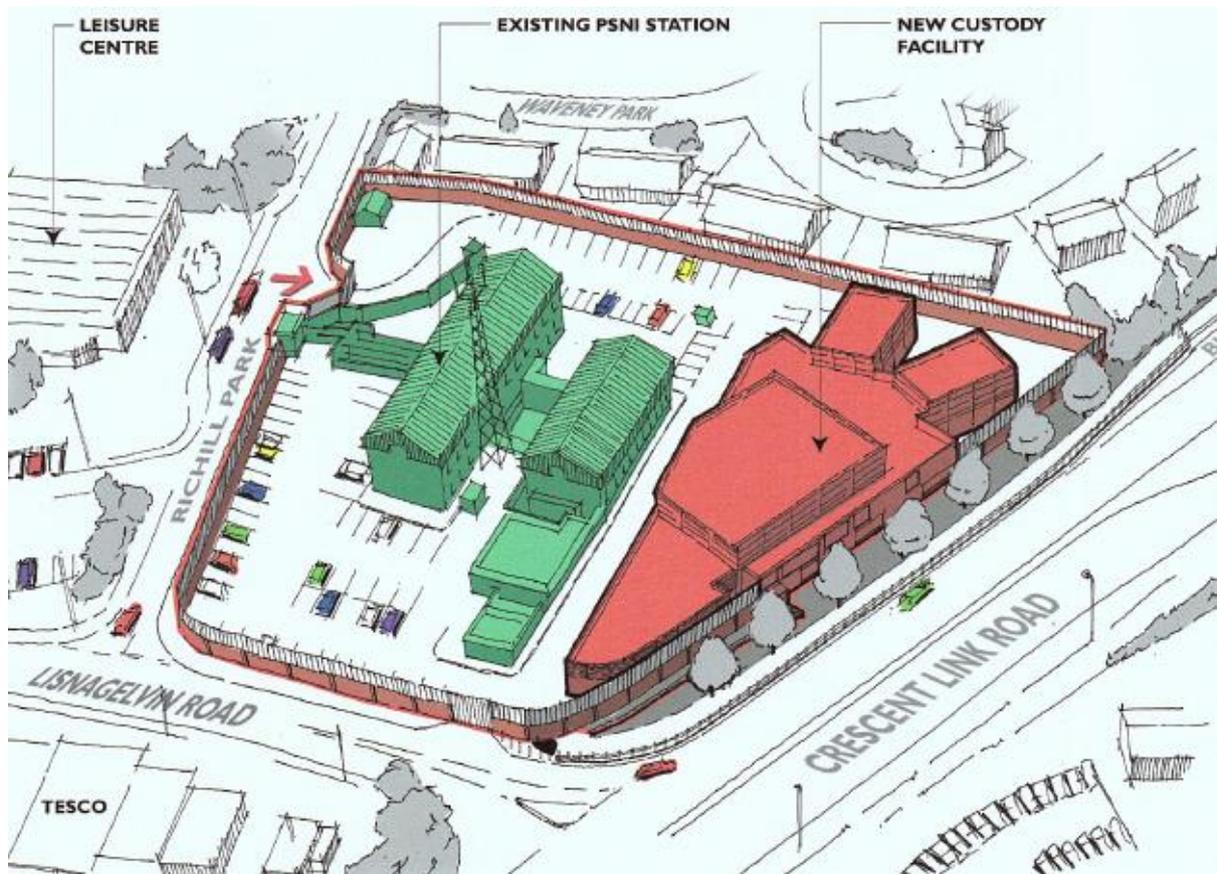


Figure 6 Proposed Crescent Link Road Elevation

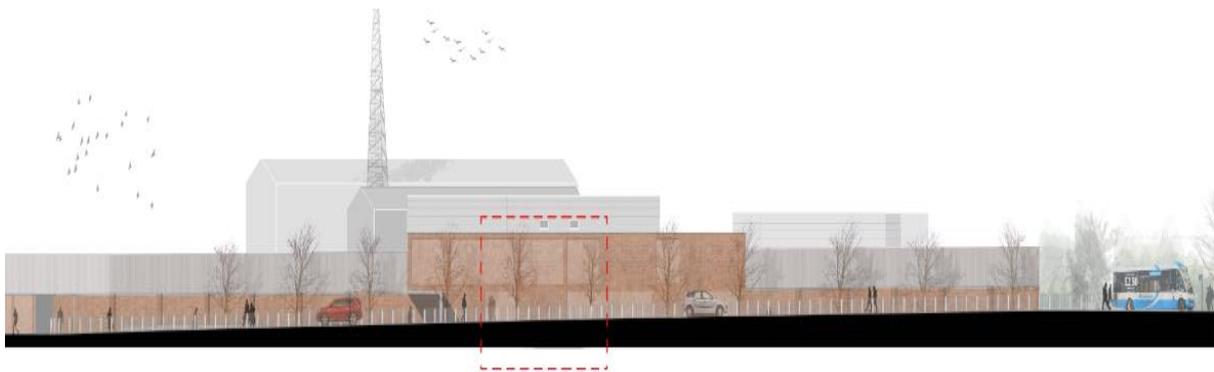


Figure 7 Proposed Crescent Link Road Elevation

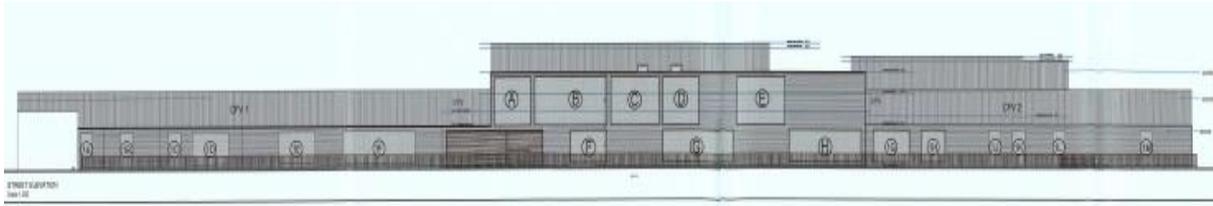


Figure 8 Proposed internal elevations

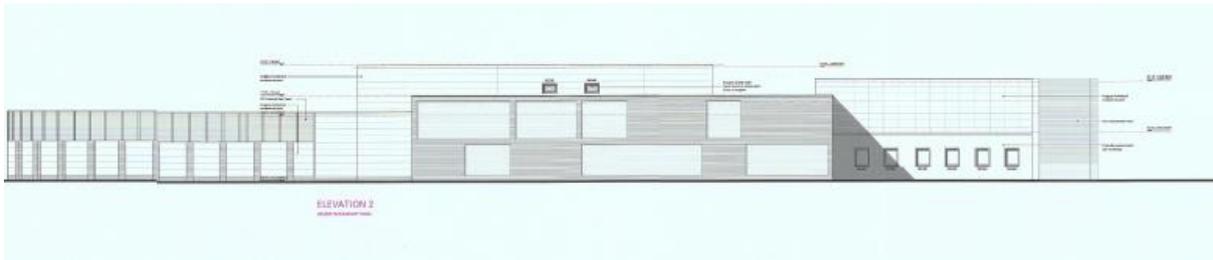


Figure 9 Proposed internal elevations

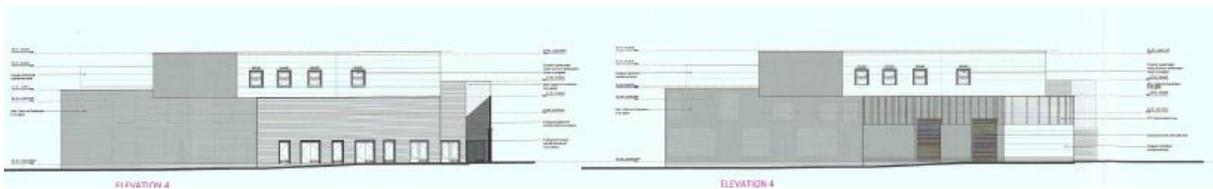


Figure 10 Proposed internal elevations

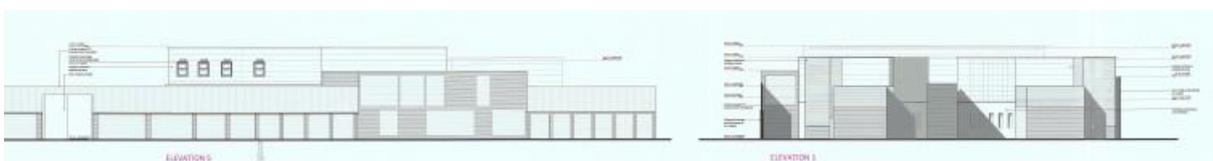


Figure 11 Railing detail

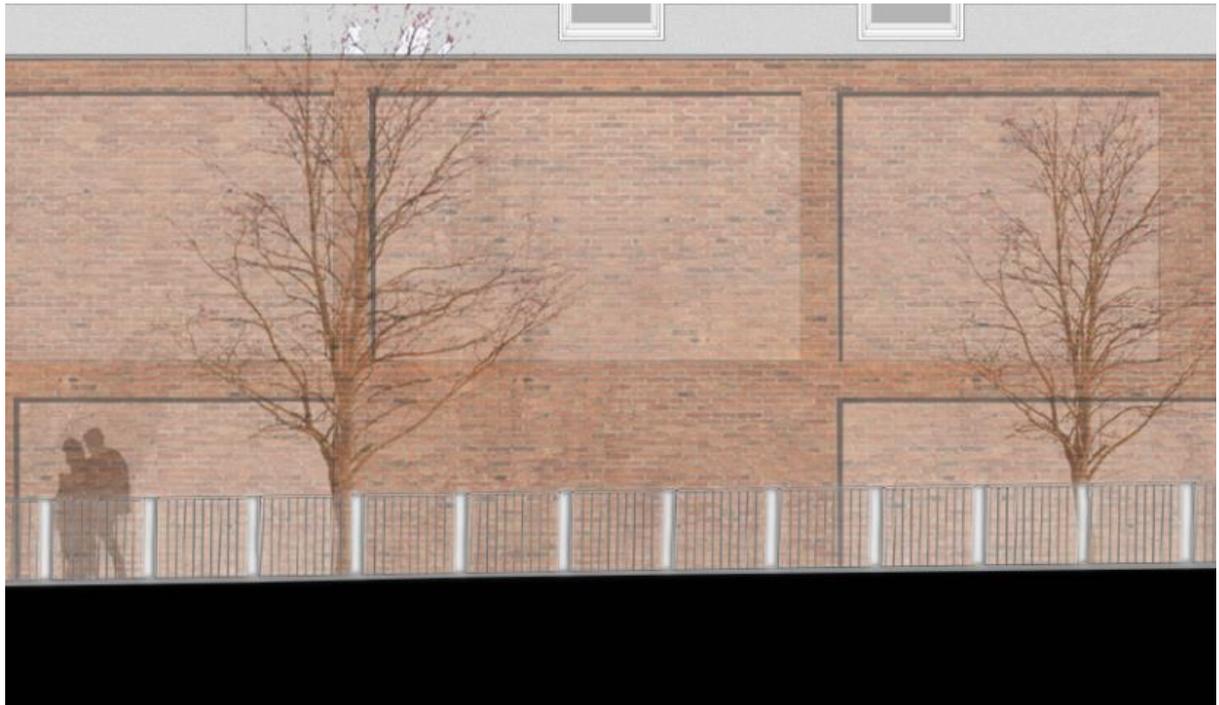


Figure 12 Railing detail

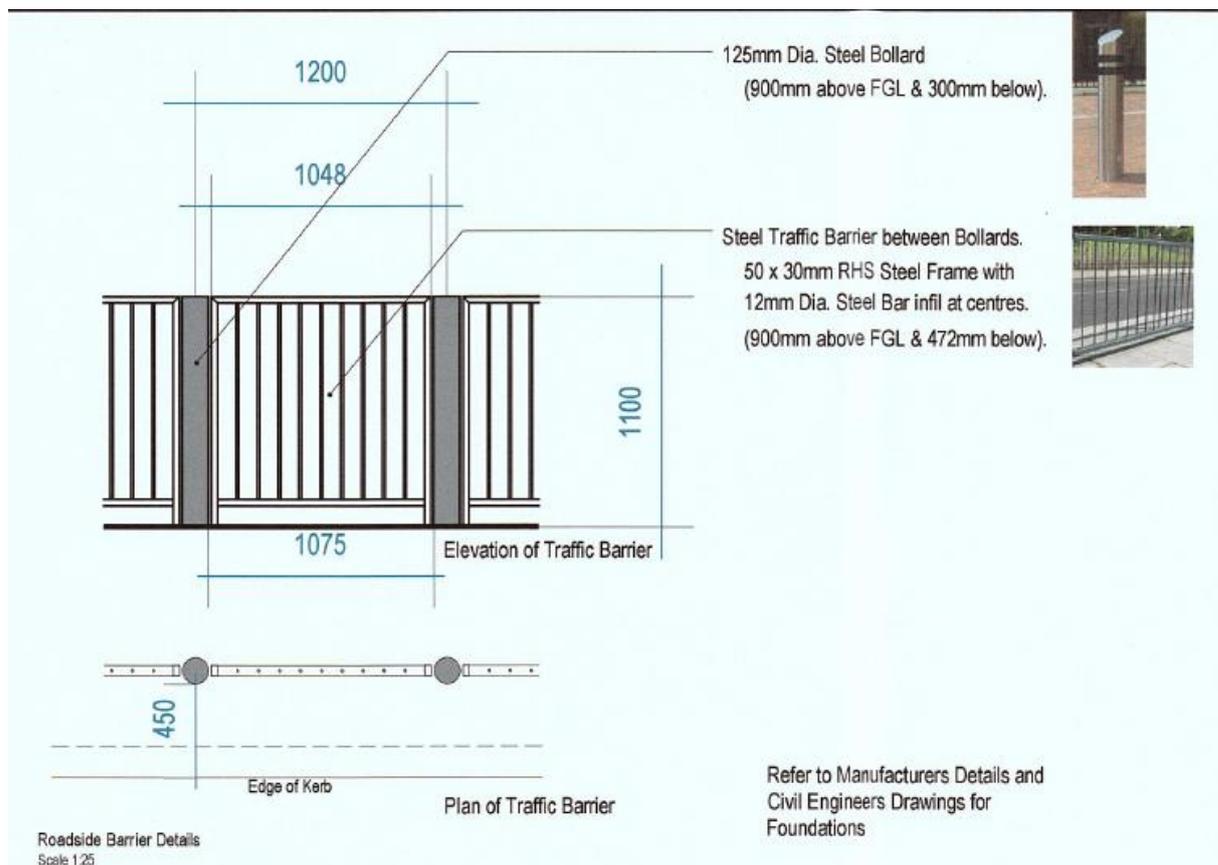


Figure 13 Railing detail



'Strategic Planning Policy Statement for Northern Ireland' - Planning for Sustainable Development (known as SPPS)

SPPS was published on the 28th September 2015. This publication sets out the Department's regional planning policies for securing the orderly and consistent development of land in Northern Ireland under the reformed two-tier planning system. The provisions of the SPPS must be taken into account in the preparation of Local Development Plans, and are also material to all decisions on individual planning applications and appeals.

A transitional period will operate until such times as a Plan Strategy for the whole of the council area has been adopted. During the transitional period planning authorities will apply existing policy contained within the relevant PPS's.

The SPPS supersedes PPS 1 General Principles, however the guiding principle of what PPS 1 aimed to achieve in terms of public interest is supported through the SPPS; in particular, paragraph 2.3 states that *"the planning system operates in the public interest of local communities.... It does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases... The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest.* Paragraph 5.72 of the SPPS further emphasises this in that *"sustainable development should be permitted, having regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. In such cases the planning authority has power to refuse planning permission"*.

Amenity

When considering the application, I have considered any potential impacts of the proposal on the surrounding land uses and buildings. The Waterside PSNI Station is presently in use at the site, with large security infrastructure surrounding the site. The proposed extension and parking is set within the existing PSNI campus. There are residential properties located to the North West in Waveney Park. The proposed design ensures that there will be no overlooking or any adverse impact upon the amenity of the residents within Waveney Park.

This proposal is to provide a custody suite and associated infrastructure works within Waterside PSNI Station. The custody suite pedestrian access is on the Crescent Link Road which will therefore ensure there is no amenity issues for residents in the surrounding residential areas.

It is considered that the proposal will not cause any demonstrable harm to the neighbouring land uses and therefore is compliant with this aspect of the SPPS.

Planning Policy Statement 3: Access, Movement and Parking

The proposed development meets the policy tests contained within PPS3. Transport NI have been consulted and are content with the proposal.

11. Conclusion and Recommendation

Having considered all material considerations, including the development plan, relevant planning policies, surrounding planning history and consultation responses it is recommended to approve the proposed application.

12. Conditions

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit

2. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 06 (Rev. 3) bearing the date stamp 15 August 2016, prior to the operation of any other development hereby permitted. 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 and such splays shall be retained and kept clear thereafter.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The access gradient to the development hereby permitted shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The existing vehicular access located on Crescent Link Road shall be permanently closed off in accordance with Drawing No. 06 (Rev. 3) bearing the date stamp 15 August 2016, prior to the commencement of any other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The existing access located on Crescent Link Road shall be removed and the dropped footway crossing reinstated to the line and level of the proposed footway/cycle track with an asphalt surface, prior to the proposed access becoming operational.

Reason: In the interests of road safety and the convenience of road users.

6. The existing pedestrian crossing points shall be removed and the dropped footway crossing points reinstated to the line and level of the existing footway and traffic island, with an asphalt surface, within one month of the proposed pedestrian crossing point becoming operational.

Reason: In the interests of road safety and the convenience of road users.

7. A detailed programme of works and any required/associated traffic management proposals shall be submitted to and agreed in writing by The Local Planning Authority prior to the commencement of any element of road works.

Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

8. The bus stop shall be relocated prior to commencement of the development hereby approved, in accordance with Drawing No. 06 (Rev. 3) bearing the date stamp 15 August 2016

Reason: In the interests of road safety and the convenience of road users.