

Derry City and Strabane District Council Planning Committee Report

COMMITTEE DATE:	25 th March 2019
APPLICATION No:	LA11/2018/0969/F
APPLICATION TYPE:	FULL
PROPOSAL:	St. Columb's Road Pedestrian Access & Public Realm: The re-development of existing open space to form a public realm pedestrian entrance to Ebrington site, off St. Columb's Road. The development will involve construction of a high quality hard and soft landscaped space.
LOCATION:	Site immediately west of Building 104, Former Ebrington Barracks site, Limavady Road, Derry ~ Londonderry BT47 7JE
APPLICANT:	The Executive Office
AGENT:	Doran Consulting
ADVERTISEMENT:	30.10.2018
STATUTORY EXPIRY:	14.11.2018
RECOMMENDATION:	Approve
REASON FOR PRESENTATION TO COMMITTEE:	Application site within Ebrington

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

1. Description of Proposed Development

St. Columb's Road Pedestrian Access & Public Realm.

The site is located at a vehicular access point into Ebrington between buildings 102 and 104 (Figure 1 and 2). The re-development of this space will provide a public realm pedestrian entrance to the Ebrington site, off St. Columb's Road. The development will involve construction of a high quality hard and soft landscaped space.

2. EIA Determination

The proposal is not EIA development.

3. Habitat Regulations Assessment

Assessment under the Habitats Regulations is not required as there is no watercourse directly abutting this site. Therefore, it is unlikely that there will be any adverse effects from development works on the integrity of any National or European site. There are no trees or landscape features on this site, which will be adversely impacted by this proposal. Therefore, it is unlikely that this proposal will adversely affect a priority species or their habitat, which is afforded protection.

4. Site and Surrounding Area

The site is located between buildings 102 and 104 at a vehicular entrance into Ebrington off St. Columb's Road (see Figure 1 and 2).



Figure 1: Site Location Map

The vehicular entrance will be closed up prior to this public realm scheme being implemented. Works are currently ongoing to provide the new vehicular entrance into Ebrington from Limavady Road.



Figure 2: The location of the public realm scheme is between building 102 on the left and building 104 on the right, viewed from within the Ebrington site looking out to St. Columb's Road



Figure 3: The location of the public realm scheme looking towards building 102 viewed from St. Columb's Road looking into the Ebrington site.

5. Site Constraints

The site falls within an Archaeological constraint zone

The site is adjacent to building 104 which is a grade B2 listed building.

6. Neighbour Notification

Neighbour Address	Date Neighbour Notified
Building 102, Ebrington Square,Londonderry,Londonderry,BT47 6FA,	17/10/2018
Building 104, Ebrington Square,Londonderry,Londonderry,BT47 6FA,	17/10/2018

7. Relevant Site History

- LA11/2016/0498/F & LA11/2016/0459/LBC

Proposed refurbishment and 2 storey extension and change of use of Building 104 to cellular office accommodation. Approved 23 January 2017.

- LA11/2016/0530/F

Proposed new entrance to St. Columb's Park including new gates, stone piers, stone walls and railings and resurfacing of the laneway. Approved 13 March 2018.

- LA11/2016/0848/F

Proposed temporary guard house providing office accommodation, associated welfare facilities and services relocated from Building 102. Approved 16 March 2017.

- LA11/2018/0361/F Permission Granted 10.01.2019

Surface level temporary car park (approx. 256 car parking bays plus 6 coach parking bays)

- LA11/2015/0749/F Permission Granted 20.04.2016

Construction of a road and junction upgrade from building 104 to the Eastern side of the Ebrington development - allowing improved access to buildings 115, 117 and 118 in line with the Ebrington development framework. The road upgrade shall include all services (drainage, power, BT ducting, water, gas, CCTV, street lighting, fencing and access gates as indicated on planning drawings)

8. Policy Framework

Derry Area Plan 2011:

Policy BE1 Urban Design, Policy BE7 Archaeological Sites and Monuments and Historic landscape,

SPPS:

Section 2.3, sections 4.4, 4.5: Improving Health and well-being, sections 4.14 - 4.15: Creating and Enhancing Shared Space, sections 4.24: Supporting Good Design and section 4.32: Positive Place Making, sections 6.8-6.15 Archaeology and Built Heritage

PPS6 Planning Archaeology and Built Heritage:

Policy BH2 The protection of Archaeological Remains of Local Importance and their Setting and

Policy BH 11 Development Affecting the Setting of a Listed Building,

Living Places: An Urban Stewardship and Design Guide for (NI)

9. Consultee Responses

DfI Roads – no objection subject to conditions

Historic Environment Division – Historic Buildings no objection subject to conditions

Historic Environment Division – Historic Monuments - no objection

10. Representations

No representations received.

Building 102 was vacant at the time of site inspection on 27 February 2019.

11. Planning Assessment & 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 (LDP), unless material considerations indicate otherwise. The Derry Area Plan 2011 operates as the LDP.

Derry Area Plan 2011

The site is located within the settlement development limits of Derry. The site is on unzoned land within the Central Area and currently comprises a vehicular access into the Ebrington site which has outline permission for a mixed use redevelopment area.

The site is on land within the development limit, not zoned for a specific use and therefore may be able to accommodate a range of different land uses, however each proposal is considered on its individual merits.

SPPS and Planning Policy

Current regional policy for consideration of public realm development proposals is provided by the SPPS. The SPPS introduces transitional arrangements which will operate until the Council's Plan Strategy has been adopted. During this period planning authorities will apply the existing policy (contained in the PPSs, referred to as the retained policy) together with the SPPS. As the site falls within an archaeology consultation zone, Planning Policy Statement 6 is relevant and is identified by the SPPS as a retained policy document.

The SPPS states that where there is any conflict between the SPPS and the retained policy or any policy clarification provided in the SPPS that would conflict with the retained policy, the SPPS should be accorded greater weight in the assessment of individual planning applications. There is no conflict between the policy requirements of the SPPs and PPS6.

Open Space provision:

The provision of this area of public realm meets the definition of open space as set out in annex A of PPS8

(ix) civic spaces, including civic and market squares and other hard surface areas designed for pedestrians.

Policies contained with PPS8 relate to the protection of existing open space and the provision of open space within housing developments. This proposal creates an area of open space by utilising an existing vehicular access and thereby does not result in the loss of open space. PPS8 is not offended.

Assessment:

The development proposes the re-development of an existing vehicular access to form a public realm pedestrian entrance to the Ebrington site, off St. Columb's Road. The development will involve construction of a high quality hard and soft landscaped space.



Figure 4: public realm space layout



Figure 5: elevational view of the public realm space

The agent advises that

‘...during the [public realm] construction works the existing entrance will be closed from early April onwards. The new access road from the Limavady Road is scheduled to open in late May. During this two month cross over period, Ebrington traffic will enter the site from the King Street roundabout entrance and use the underground car park. Delivery vehicles will still be able to access the site from St. Columb’s Road during this two month period by using the temporary construction access gate located between buildings 104 and 115.

A central feature of the public realm space is the ‘Peace Pledge Tree’ (figure 5). This is 4.5m high stainless steel public art sculpture which will sit within the raised granite planter (3 and 4). The agent explains that ‘The leaves of the tree are inscribed with peace pledges’ written by school children ‘to demonstrate hope for a peaceful future’.

The public realm scheme is in close proximity to Building 104, which is a Grade B2 listed building.

Accordingly Historic Environment Division (HED) was consulted to allow consideration of the impacts of the proposal on the setting of the listed building. On the basis of the information provided, HED has no objection to the proposal subject to a condition requiring the submission to council of a sample of the concrete and stone paving prior to works commencing on site. In order that the materials to be used are sympathetic to the setting of the listed building, this condition is considered to be necessary and reasonable.

HED was also consulted as the site lies in an archaeology consultation zone but had no concerns regarding the impact of this proposal.

As the vehicular access between buildings 102 and 104 will no longer be required once the new access onto Limavady road becomes operational, this proposed public realm scheme provides a high quality pedestrian access to the Ebrington site. It enhances the pedestrian connectivity through the Ebrington site with St. Columb's Park to the north and the peace bridge to the west.



Figure 5: The Peace Pledge Tree to be erected as a central feature of the public realm space

The high quality design of the space is acceptable in this location. The peace tree at 4.5m in height is of a scale sympathetic to its position between buildings 102 which is a single storey building and building 104 which is 3 stories in height.

12. Conclusion and Recommendation

The SPPS advocates creating and enhancing shared space and to the creation of an environment that is accessible to all and enhances opportunities for shared communities, has a high standard of connectivity and supports shared use of public realm. Officers consider that this development complies with the requirements of the SPPS and PPS6 as it provides a useable public space,

enhanced by public art which is sympathetic to its setting adjacent to a listed building. In so doing it makes positive use of a space which will no longer be required once the vehicular access onto Limavady Road is complete.

Approval is recommended subject to the conditions set out below.

13. Proposed Condition

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. No works shall be undertaken until samples of the concrete and stone for the paving have been submitted and agreed in writing by the Council in conjunction with HED.

Reason: to protect the setting of the adjacent Listed Building

3. The gradient(s) of the access road into the site shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the 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 users accessing the site

4. Any steps, pillars, access ramps, etc on the development hereby permitted shall not project out into the public road, verge or footway.

Reason: In the interest of pedestrian safety, road safety and convenience of road users

5. Subject to the above conditions, the development shall be carried out in accordance with the approved drawing No 01 date stamped 4th October 2018 and Drawing numbers 02 Revision 01 and 04 Revision 01 date stamped 21st January 2019

Reason: To ensure the development is carried out in accordance with the approved plans.