

Derry City and Strabane District Council Planning Committee Report

COMMITTEE DATE:	7 th July 2021
APPLICATION No:	LA11/2020/0684/F
APPLICATION TYPE:	Full Application
PROPOSAL:	Erection of switch room and bin storage to serve building 2 of the adjacent approved Grade A office development (Planning Ref LA11/2018/1164/RM) with associated minor alterations to adjoining footpaths and vehicular hard standing
LOCATION:	Lands 150m north east of Waterside Roundabout, King Street, Ebrington
APPLICANT:	Heron Property Limited
AGENT:	GM Design Associates
ADVERTISEMENT:	29.09.2020
STATUTORY EXPIRY:	14.10.2020
RECOMMENDATION:	APPROVE
REASON FOR PRESENTATION TO COMMITTEE:	Site within Ebrington Complex

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

1. Description of Proposed Development

The proposed development is for a small switch room and bin store to serve “building 2” of the two buildings being constructed at present. The application also includes a small addition to an area of hard standing and a minor alteration to the adjoining footpath.

2. EIA Determination

The proposed development is not within the scope of Schedule 2 - 10(b) of the Planning (Environmental Impact Assessment) Regulations (NI) 2017 as the area of the development does not exceed 0.5 hectares, it is 0.03 hectares in size.

3. HRA Carried Out: No

There are no watercourse directly abutting this site. Therefore, in consideration of the above, it is unlikely that there will any adverse effects from the development works on integrity of any National or European site. There are no significant trees or landscape features on this site which will be 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 application site is located to the South of the Ebrington site, is adjacent to King Street and is included within the Central Area of the City as defined in the Derry Area Plan 2011. The proposed switchroom and bin store are located to the rear of building 2 at King Street, this building is currently under construction. The Cunningham building is to the north east of the site and is a Grade 2 listed building. The site will be accessed and egressed from the main new Ebrington Access, off the Limavady Road.



Figure 1: Site location plan



Figure 2: Overhead view of site (pre-construction of new buildings)

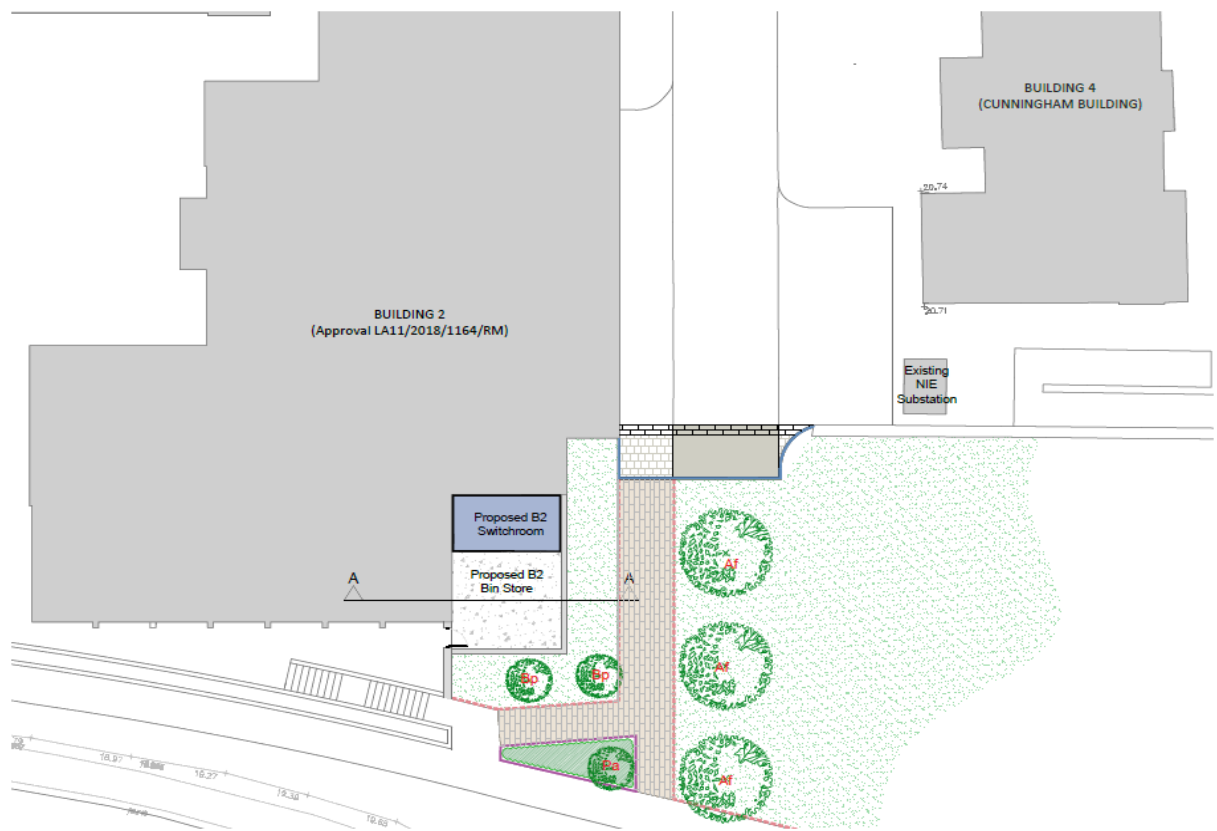


Figure 3: Block plan showing switch room, bin store and addition of hard surfacing and footway link



Figure 4: elevation detail of building with bin store and switchroom located to bottom of drawing

5. Site Constraints

The building is adjacent to a Category B2 listed building

The wider site contains the Star Fort Wall which is a Scheduled Monument

Potential Archaeology

6. Neighbour Notifications

Neighbour Address	Date of Notification
Cunningham Building, Ebrington Square, Limavady Road,	01.10.2020
Derry	29.04.2021

7. Relevant Site History

A/2011/0562/F- Permission Granted 30/08/12

The construction of a 2 storey subterranean carpark providing 230 spaces including 12 accessible parking bays with ancillary staff office, and toilet and access road.

A/2015/0001/O Permission Granted 15.02.2016

Former Ebrington Barracks Site: Site development zones, land uses and open space, access and circulation, urban design and building heights and areas of attenuation/drainage. Land uses to include a mixture of creative industries and culture, education/research, museum and heritage, hotel and leisure, commercial office space, residential, cafes and restaurants/bars and associated car parking and infrastructure.

LA11/2017/0541/RM Permission Granted 21.12.2017

Former Ebrington Barracks Site: New vehicular/pedestrian access off Limavady Road via a new signalised junction to provide new internal street with associated landscaping, services and boundary treatment works.

LA11/2018/1164/RM Permission Granted 29.08.2019

Erection of two Grade A office blocks (in conformity with Outline Planning Approval A/2015/0001/O - Parcel A) above the underground car park and enabling platform at the former Ebrington Barracks site accessed via King Street Derry-Londonderry

8. Policy Framework

Derry Area Plan 2011 (DAP 2011)- Policy BE1

Strategic Planning Policy Statement for Northern Ireland (SPPS)

Planning Policy Statement 3: Access, Movement and Parking(PPS 3)

Planning Policy Statement 6: Planning, Archaeology and the Built Heritage (PPS 6)

9. Consultee Responses

HED (Historic Buildings) has considered the impacts of the proposal on the listed buildings and on the basis of the information provided, advises that they are content with the proposal as presented.

HED (Historic Monuments) has considered the impacts of the proposal. HED (Historic Monuments) is content that the proposal satisfies PPS 6 policy requirements as this is only minor works and will not affect the archaeological integrity of the site.

DFI Roads

Dfi roads to date have not responded

10. Representations

No representations have been received in relation to the application

11. 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. The site is located within the historic Ebrington site which has been granted outline approval for redevelopment where a mix of uses including; education, commercial, residential, office and hotel and leisure have been deemed appropriate. The proposal has therefore been assessed against the policy framework listed in paragraph 8 and all other material considerations including relevant planning history and consultation responses.

Derry Area Plan 2011

DAP 2011 Policy BE 1 states that development proposals are required 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. The site is located within the Central Area of the City as designated in Map 3 of the Derry Area Plan 2011, where a range of uses would be considered acceptable. The proposal is small scale ancillary development with limited visual impact and will not detract from adjacent developments or surrounding area. The proposal will not have an adverse impact upon the amenity of the buildings within Ebrington and there are no residential properties adjacent to the site. It is considered that the proposed development respects the

opportunities and constraints of this site especially in regard to the listed buildings and historic monuments

PPS6

The development involves the addition of a switch room and bin store to the lower ground floor of office building 2 that is currently under construction. In addition, there will be an extra bit of hard standing to allow vehicular access to the bin store and switch room and also a footpath to link the site to King street. The proposed works will not adversely affect the setting of the listed buildings in accordance with Policy BH 11 of PPS 6. HED Historic Buildings Unit.

The proposed works will not adversely affect the setting of the listed buildings in accordance with Policy BH 11 of PPS 6. HED Historic Buildings Unit. Overall, the switch room and bin store and additional works are an essential part of infrastructure for the office building. The proposed build is also in accordance with Policies BH1, BH2, BH3 and BH4 of PPS6 in that the archaeological importance of the site has been taken account of and this new development will in no way be detrimental to the state care monument.

PPS3 – Access Movement and Parking

Policy AMP 7 of PPS 3 states that development proposals will be required to provide adequate appropriate servicing arrangements. DFI Roads have been consulted however no response has been received to date. Officers consider the proposal to be minor and notwithstanding the fact the proposal will not be adopted by DFI Roads, officers consider the proposal will not conflict with the existing layout or parking provision within the Ebrington complex. Therefore on balance the proposal raises no concerns in respect of AMP 7 of PPS 3.

12. Conclusion and Recommendation

It is considered that the proposal complies with above mentioned policies of DAP 2011, PPS 3, PPS 6 and the SPPS. Having considered all material considerations including the development plan, relevant planning policies, planning history and consultation responses, approval is recommended subject to the conditions set out below.

13. Conditions

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. All servicing to this development hereby approved shall be via this buildings entrance within the Ebrington site only and vehicles must access this entrance via the vehicular Limavady Road access junction.

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

3. Noise/Construction activities shall be restricted to 07.30 – 18.00 (Monday to Friday), 08.00 - 13.00 on Saturday, and at no time on a Sunday.

Reason: To protect residential amenity

4. Subject to the above conditions, the development shall be carried out in accordance with the stamped approved drawings 01, 02, 06, 07 and 08 dated 17th September 2021 and 03 Rev 1, and 04 Rev 1 received on the 28th April 2021.

Reason: To ensure a satisfactory form of development