

# Public Document Pack

**Democratic Services Section  
Legal and Civic Services Department  
Belfast City Council  
City Hall  
Belfast  
BT1 5GS**

12<sup>th</sup> September, 2024

## **MEETING OF PLANNING COMMITTEE**

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item(s) will also be considered at the meeting to be held at 5.00 pm on Tuesday, 17th September, 2024.

Yours faithfully,

John Walsh

Chief Executive

## **AGENDA:**

4. **Notifications of Abandonment and Extinguishment (Pages 1 - 2)**
  - (a) Notifications from Statutory Bodies - Marcus Ward Street (Pages 3 - 8)
  - (b) Notifications from Statutory Bodies - Mill Avenue (Pages 9 - 12)
  
11. **New Planning Applicaitons**
  - (d) LA04/2024/1084/F - 2 no. (35m width x 16m height) ball stop fences. 1.2m height perimeter fencing with 2 no. gate access points. 2 no. (10m width x 4m depth) dugouts + hardstanding path and associated site works. - Henry Jones Playing Fields, Church Road (Pages 13 - 20)

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|                           |                                                         |
|---------------------------|---------------------------------------------------------|
| <b>Subject:</b>           | Notifications from statutory bodies                     |
| <b>Date:</b>              | 17 <sup>th</sup> September 2024                         |
| <b>Reporting Officer:</b> | Kate Bentley, Director of Planning & Building Control   |
| <b>Contact Officer:</b>   | Dermot O’Kane, Acting Planning Manager (Plans & Policy) |

|                                              |                                         |                                        |
|----------------------------------------------|-----------------------------------------|----------------------------------------|
| <b>Is this report restricted?</b>            | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| <b>Is the decision eligible for Call-in?</b> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.0</b> | <b>Purpose of Report or Summary of Main Issues</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 1.1        | To bring to the attention of the Planning Committee two notifications received from the Department for Infrastructure (DfI) (see <b>Appendix 1 &amp; 2</b> ). The notifications relate to proposed abandonments at Mill Avenue, Ligoneil and at Marcus Ward Street, Belfast.                                                                                                                                                                                                                                                                     |
| <b>2.0</b> | <b>Recommendation</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2.1        | The Committee is asked to note the notification correspondence received.                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>3.0</b> | <b>Main Report</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 3.1        | The Council has received the following notifications from DfI:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 3.2        | <b>Proposed abandonment at Mill Avenue, Ligoneil</b><br>Received on 5 <sup>th</sup> August 2024 this notification concerns the abandonment of an area of land which resulted from the realignment of Mill Avenue during the construction of Wolfhill Manor in 2009 (see <b>Appendix 1</b> ). A portion of the proposed abandonment is currently utilised as a footpath following the old alignment of Mill Avenue to Wolfhill Manor. An alternative footpath following the new alignment of Mill Avenue into Wolfhill Manor is already in place. |
| 3.3        | This abandonment has been requested by Braidwater Land Ltd to facilitate a proposed residential development comprising a total of 20 no. dwellings. The land to be abandoned will form part of a wider private amenity area associated with the apartment block element of the residential proposal. This application (LA04/2024/1195/F) is currently under consideration by Belfast Planning Service.                                                                                                                                           |
| 3.4        | <b>Draft of The Marcus Ward Street, Belfast (Abandonment) Order (NI) 2024</b><br>Received on 16 <sup>th</sup> August 2024 this correspondence concerns the abandonment of an area of 28.66 square metres to the rear of the footway on Marcus Ward Street, Belfast (see <b>Appendix 2</b> ). Notification of this proposed abandonment was previously brought to Committee on 16 <sup>th</sup> January 2024. The abandonment had been requested by the Kainos Group PLC and relates to the development of Purpose Built Student Accommodation on |

|            |                                                                                                                                                                                                                                                                                                                                               |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | the adjacent site. This scheme was granted planning permission on 10 <sup>th</sup> May 2024.                                                                                                                                                                                                                                                  |
| 3.5        | In considering these notifications other services within the Council were consulted – City & Neighbourhood Services, Estates and City Regeneration & Development and no issues or concerns were raised. There is no requirement for the Council to respond to these consultations and it is recommended that the Committee notes this report. |
| 3.6        | <u>Financial &amp; Resource Implications</u><br>There are no resource implications associated with this report.                                                                                                                                                                                                                               |
| 3.7        | <u>Equality implications or Good Relations implications / Rural needs assessment</u><br>None.                                                                                                                                                                                                                                                 |
| <b>4.0</b> | <b>Appendices – Documents Attached</b>                                                                                                                                                                                                                                                                                                        |
|            | <b>Appendix 1:</b> Proposed abandonment at Mill Avenue, Ligonell<br><b>Appendix 2:</b> Draft of The Marcus Ward Street, Belfast (Abandonment) Order (NI) 2024                                                                                                                                                                                 |



Department for

**Infrastructure**

An Roinn

**Bonneagair**

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

## Road Asset Development

By e-mail

The Chief Executive  
Belfast City Council

[LargeyN@BelfastCity.gov.uk](mailto:LargeyN@BelfastCity.gov.uk)

3rd Floor Area A  
James House  
The Gasworks  
2-4 Cromac Avenue  
Belfast  
BT7 2JA

Tel: (028) 90540404  
Email: [lynsey.wilson@infrastructure-ni.gov.uk](mailto:lynsey.wilson@infrastructure-ni.gov.uk)

Your reference:

Our reference: IN1-24-13869

16th August 2024

Dear Sir/Madam

### **The Marcus Ward Street, Belfast (Abandonment) Order (Northern Ireland) 2024**

In accordance with the provision of Schedule 8 to the Roads (Northern Ireland) Order 1993, I enclose a copy of the above-mentioned draft Order and related map together with a copy of the statutory notice which will be published in the Belfast Gazette, Belfast Telegraph, Irish News and News Letter.

Yours faithfully

*Lynsey Wilson*

Lynsey Wilson  
Transport Legislation Branch

## **ABANDONMENT – MARCUS WARD STREET, BELFAST**

The Department for Infrastructure (DfI), being of the opinion that the road is not necessary, gives notice of its intention to make an Order under Article 68 of the Roads (Northern Ireland) Order 1993, the effect of which would be to abandon an area of 28.66 square metres of land extending for 37.98 metres to the rear of the footway on Marcus Ward Street, Belfast.

The area of road proposed to be abandoned is delineated on a map which, together with a copy of a draft Order, may be inspected free of charge during office hours within the period 28 August 2024 to 8 October 2024 at DfI Roads Eastern Division, Annexe 7, Block 2, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast, BT4 3SQ or viewed online at [www.infrastructure-ni.gov.uk/consultations](http://www.infrastructure-ni.gov.uk/consultations)

Inspection of the draft Order and map is by appointment only which can be arranged either by e-mail to [lands.eastern@infrastructure-ni.gov.uk](mailto:lands.eastern@infrastructure-ni.gov.uk) or by telephone during office hours (Monday to Friday 9.00 am to 5.00 pm) on 0300 200 7899.

Any person may, within the period above, object to the proposal by writing to the Department at the address above or by e-mailing [lands.eastern@infrastructure-ni.gov.uk](mailto:lands.eastern@infrastructure-ni.gov.uk) stating the grounds of the objection. The information you provide in your response to this consultation, excluding personal information, may be published or disclosed in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations (EIR). If you want the information that you provide to be treated as confidential, please tell us why, but be aware that, under the FOIA/EIR, we cannot guarantee confidentiality.

For information regarding the Departmental Privacy Notice following the introduction of GDPR please go to the following link [www.infrastructure-ni.gov.uk/dfi-privacy](http://www.infrastructure-ni.gov.uk/dfi-privacy) or phone the Data Protection Office on 028 90540540. For further details on confidentiality, the FOIA and EIR please refer to [www.ico.org.uk](http://www.ico.org.uk)

**2024 No.**

**ROADS**

**The Marcus Ward Street, Belfast (Abandonment) Order  
(Northern Ireland) 2024**

*Made* - - - - 2024  
*Coming into operation* - 2024

The Department for Infrastructure<sup>(a)</sup> makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993<sup>(b)</sup> and now vested in it<sup>(c)</sup>.

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

(Here will follow, where appropriate, recitals of the fact of any objection received or inquiry held and the outcome thereof).

**Citation and commencement**

1. This Order may be cited as the Marcus Ward Street, Belfast (Abandonment) Order (Northern Ireland) 2024 and shall come into operation on 2024.

**Application**

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

---

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))  
(b) S.I. 1993/3160 (N.I. 15)  
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

Sealed with the Official Seal of the Department for Infrastructure on 2024

(L.S.)

A senior officer of the Department for Infrastructure

## SCHEDULE

Article 2

### AREA OF ROAD TO BE ABANDONED

An area of 28.66 square metres extending for 37.98 metres of land to the rear of the footway on Marcus Ward Street, Belfast more particularly delineated and shown cross-hatched and coloured red on map number IN1/24/621173.

A copy of the map has been deposited at the Department's Headquarters, 3rd Floor, James House, The Gasworks, 2-4 Cromac Avenue, Belfast and at DfI Roads Eastern Division, Annexe 7, Block 2, Castle Buildings, Stormont Estate, Upper Newtownards Road, Belfast.

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order abandons the area of road described in the Schedule.



DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/24/621173 referred to in "The Marcus Ward Street, Belfast (Abandonment) Order (Northern Ireland) 2024" made by the Department on 2024 and coming into operation on 2024.

©Based upon the Ordnance Survey map with the Permission of the Director and the Chief Executive.

Crown Copyright

SCALE 1:200



|     |          |                |                   |     |    |
|-----|----------|----------------|-------------------|-----|----|
| REF | 01/08/20 | DR             | as amended update | MR  | MR |
| REF | 20/08/23 | Original issue |                   | AC  | PC |
| REV |          |                |                   |     |    |
| NO  | 1        | Date           | as amended        | Rev | 1  |

KAINOS

Kainos HQ

Proposed DfI Roads Abandonment Site Plan 02

24/05/2023  
 23025  
 KHQ-TOD-10-ZZ-DR-A-10002
 

 24/05/2023  
 AC  
 PC  
 1:200  
 A1  
 INFORMATION  
 P02



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|                          |                            |
|--------------------------|----------------------------|
| Chief Executive's Office |                            |
| Date:                    | 05.08.24                   |
| Noted by CX:             | Y/N                        |
| Ref:                     | J.W.3.8                    |
| Referred to:             | Fwd to democratic services |
| Copy sent                | Original sent              |
| MB updated               | Invite req                 |

The Chief Executive  
 City Hall  
 BELFAST  
 BT1 5GS

Annexe 7, Block 2  
 Castle Buildings  
 Stormont Estate  
 Upper Newtownards Road  
 BELFAST  
 BT4 3SQ

Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being Dealt With By: Victor Clegg

Email: [Victor.clegg@infrastructure-ni.gov.uk](mailto:Victor.clegg@infrastructure-ni.gov.uk)

Direct Line: 02890 526193

Our Ref: MD2/Z/03/978

Date: 01 August 2024

**DEAR SIR/ MADAM,**

**ROADS (NI) ORDER 1993**

**PROPOSED ABANDONMENT AT MILL AVENUE, LIGONEIL, BELFAST BT14 8DE.**

An application has been received from Braidwater Ltd for the abandonment of Mill Avenue as shown hatched on the attached plan, Drawing No: 129/08NW3.

Mill Avenue was realigned during construction of Wolfhill Manor in 2009. The old alignment of Mill Avenue is currently used as a footpath from the new realigned Mill Avenue to the Wolfhill Manor housing development. A secondary footpath follows the new alignment of Mill Avenue into Wolfhill Manor so an alternative route is already in place.

The road to be abandoned will be retained as green space.

Could you please let me have your comments on the above proposal.

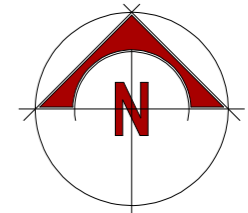
A prompt response would be appreciated and I look forward to hearing from you. If I do not receive your reply I shall assume you have no objection and will proceed accordingly.

Yours faithfully



Victor Clegg  
 Lands Section

ENC



# Land Subject to Abandonment Order off Mill Avenue & Wolfhill Manor, Ligoniel, Belfast.

Scale 1:2500 @ A3

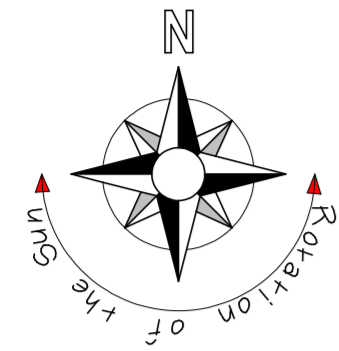
O.S. ref. 12908SW1

Crown Copyright Reserved

28th March 2023



- Indicates Area currently registered with DFI Roads to be requisitioned with an Abandonment Order.



--- Indicates Contours taken from Original Survey, to be updated by North West Land Survey.

**HOUSING KEY**

| House Type   |                                                           | Needs Group | Beds. (per unit) | Unit Nos  |
|--------------|-----------------------------------------------------------|-------------|------------------|-----------|
| G            | 93.28<br>2 Storey House                                   | G.N.        | 3                | 5         |
| H            | 93.28<br>2 Storey Corner House                            | G.N.        | 3                | 1         |
| T            | T1 - 60.15<br>T2 - 73.48<br>Apartment                     | G.N.        | 3                | 2         |
| F            | 114.10<br>2 Storey Complex Needs House                    | C.N.        | 2                | 2         |
| K            | 130.28<br>2 Storey Complex Needs House                    | C.N.        | 3                | 1         |
| 9 Block      | 1,467 - 65.0<br>2,568 - 64.6<br>3,669 - 65.0<br>Apartment | C.A.T.1     | 2                | 9         |
| <b>Total</b> |                                                           |             |                  | <b>20</b> |

Note, Dwellings to have Water Butts in rear Garden to encourage Grey Water use, and Solar Panels fitted to South Facing Roofs.

**Key**

- Indicates Private Grass area
- Indicates Communal Landscaped area
- Indicates Amenity Shrub Planting
- Indicates Tarmac Area
- Indicates 2mx2m conc. area for refuse and Clothes Line
- Indicates Concrete Path  
900mm wide = Private,  
1200mm wide = communal (max 2 dwelling to share)
- Indicates Entrance
- 44.75 - Indicates Existing Level
- +170.50 - Indicates Proposed Level
- Indicates 900mm & 1100mm High Metal Railings
- Indicates 1.8m Close Boarded Timber Fence
- Indicates Planting Buffer/Screening
- Indicates Existing Planting/Trees to be retained
- Indicates Private Amenity Area (m2)

Rev D - 07/05/24  
Rev C - 30/01/24  
Rev B - 24/01/24  
Rev A - 04/01/24

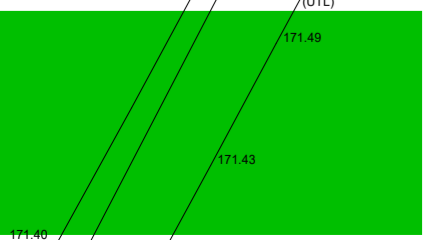
job no. 14-20  
drawing PA-04  
scale 1:500 @ A2  
Dec. 2023

client: BW Homes  
& Construction Ltd.  
project:  
Proposed Social Housing off  
Mill Avenue, Ligoniel, Belfast.



Market Court,  
63 New Row, Coleraine, BT52 1EJ  
Tel & Fax 028 70356989  
E-mail: moore.design@btconnect.com  
Members of the Chartered Institute of Architectural Technologists  
Associate Member of the Chartered Institute of Building

*Walphill Ligoniel*



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## Development Management Officer Report Committee Application

| Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application Ref:</b> LA04/2024/1084/F                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Committee Meeting Date:</b> 17th September 2024                                                                                           |
| <b>Proposal:</b> 2 no. (35m width x 16m height) ball stop fences. 1.2m height perimeter fencing with 2 no. gate access points. 2 no. (10m width x 4m depth) dugouts + hardstanding path and associated site works.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Location:</b> Henry Jones Playing Fields, Church Road, Belfast, BT6 9SB                                                                   |
| <b>Referral Route:</b> Section 3.8.5 (c) of the Scheme of Delegation. Application made by the Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                              |
| <b>Recommendation:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Approval                                                                                                                                     |
| <b>Applicant Name and Address:</b><br>Michael Small<br>4 <sup>th</sup> Floor Cecil Ward Building,<br>4-10 Linenhall Street<br>Belfast<br>BT2 8BP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Agent Name and Address:</b><br>Michael Small<br>4 <sup>th</sup> Floor Cecil Ward Building,<br>4-10 Linenhall Street<br>Belfast<br>BT2 8BP |
| <b>Date Valid:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 11 <sup>th</sup> June 2024                                                                                                                   |
| <b>Target Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 24 <sup>th</sup> September 2024                                                                                                              |
| <b>Contact Officer:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Lisa Walshe, Principal Planning Officer                                                                                                      |
| <p><b>Executive Summary</b></p> <p>The application seeks planning permission for proposed 2 no. (35m width x 16m height) ball stop fences, 1.2m height perimeter fencing with 2 no. gate access points, 2 no. (10m width x 4m depth) dugouts, hardstanding path and associated site works.</p> <p>The site is located at Henry Jones Playing Fields, Church Road, Belfast which is a Council site with sports pitches and associated parking. There are a number of trees throughout the site and around the site periphery. The site is located within an Area of High Scenic Value and an Area of Constraint on Mineral Developments designated in dBMAP.</p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> <li>• Impact on amenity</li> <li>• Impact on the character and appearance of the area</li> <li>• Other considerations</li> </ul> <p>There have been no objections from consultees.</p> <p>One objection has been received. This objection is addressed within the main report and is summarised below:</p> <ul style="list-style-type: none"> <li>• Concerns of littering</li> <li>• Impact on trees</li> </ul> |                                                                                                                                              |

- Parking and traffic movements
- Anti-Social Behaviour

**Recommendation**

Having regard to the development plan and other material considerations, the proposal is acceptable.

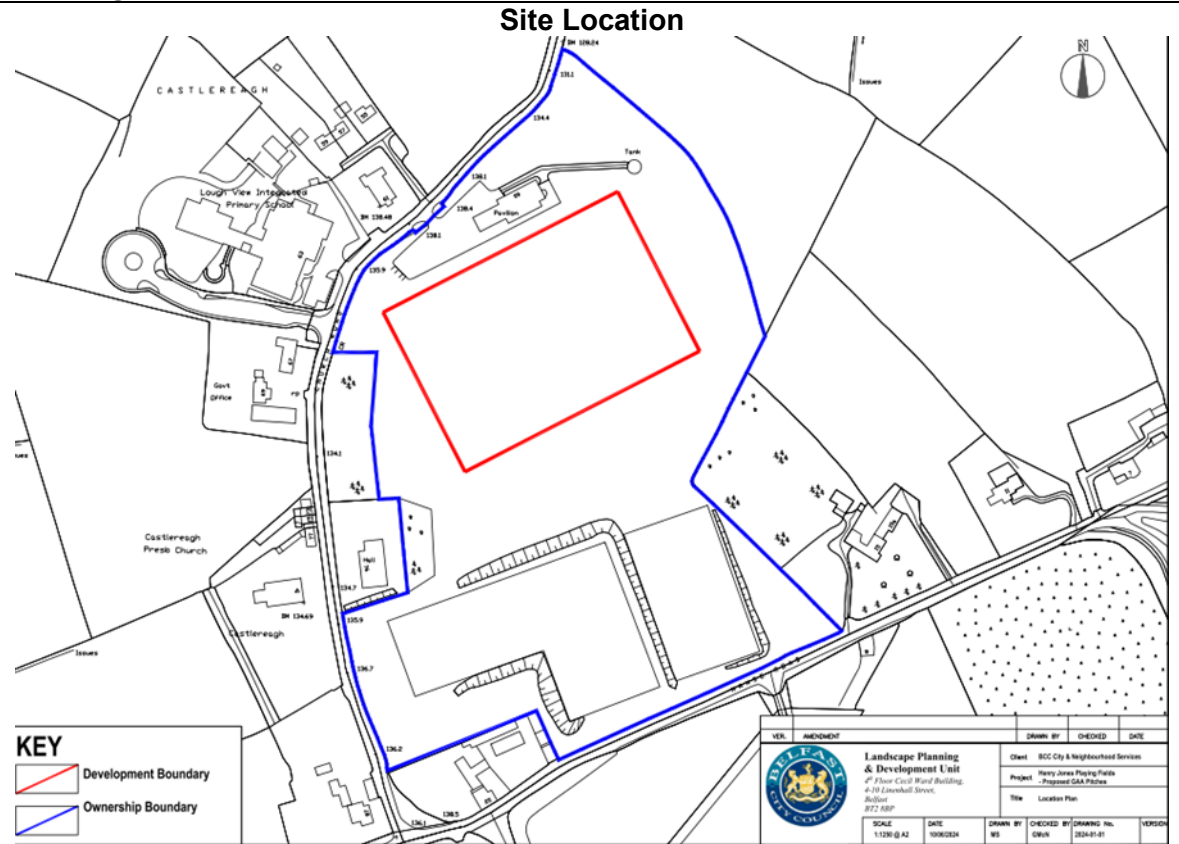
It is recommended that planning permission is approved. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the approval reasons and deal with any other issues that arise, provided that they are not substantive.



# Case Officer Report

## 1.0 Drawings

1.1



|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>2.0</b> | <b>Characteristics of the Site and Area</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 2.1        | The site is located at Henry Jones Playing Fields, Church Road, Belfast which is a Council owned site with a pavilion, sports pitches, and associated parking. There are a number of trees throughout the site and around the site periphery. The site is located within an Area of High Scenic Value and an Area of Constraint on Mineral Developments designated in dBMAP. To the North of the site is Lough View Integrated Primary and Nursery School. To the West of the site is Castlereagh Presbyterian Church, which is a Grade B+ Listed Building. |
| <b>3.0</b> | <b>Description of Proposal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 3.1        | The application seeks full planning permission for proposed 2 no. (35m width x 16m height) ball stop fences, 1.2m height perimeter fencing with 2 no. gate access points, 2 no. (10m width x 4m depth) dugouts, hardstanding path and associated site works.                                                                                                                                                                                                                                                                                                |
| <b>4.0</b> | <b>Planning Policy and Other Material Considerations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 4.1        | <b>Development Plan – operational policies</b><br>Belfast Local Development Plan, Plan Strategy 2035                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4.1.1      | Policies in the Plan Strategy relevant to the application include the following: <ul style="list-style-type: none"> <li>• Policy HC1 – Promoting Healthy Communities</li> <li>• Policy CI1 – Community Infrastructure</li> <li>• Policy DCI3 – Other Proposed Development in the Countryside</li> <li>• Policy TRE1 – Trees</li> <li>• Policy BH1 – Listed Buildings</li> </ul>                                                                                                                                                                             |
| 4.2        | <b>Development Plan – zoning, designations and proposals maps</b><br>Belfast Urban Area Plan (2001) BUAP<br>Draft Belfast Metropolitan Area Plan 2015 (v2004)<br>Draft Belfast Metropolitan Area Plan 2015 (v2014)                                                                                                                                                                                                                                                                                                                                          |
| 4.3        | <b>Regional Planning Policy</b><br>Regional Development Strategy 2035 (RDS)<br>Strategic Planning Policy Statement for Northern Ireland (SPPS)                                                                                                                                                                                                                                                                                                                                                                                                              |
| 4.4        | <b>Relevant Planning History</b><br>There is no relevant site history.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>5.0</b> | <b>Consultations and Representations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 5.1        | <b>Statutory Consultations.</b><br><b>DFI Roads</b> – No Objection<br><b>Historic Environment Division (HED)</b> – No Objection                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 5.2        | <b>Non-Statutory Consultations</b><br>None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 5.3        | <b>Representations</b><br><br>The Council has received 1 objection letter which is summarised below.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <ol style="list-style-type: none"> <li>1. Concerns of potential littering – <i>This is not a material planning consideration and the Council are unable to withhold permission on this basis. This is a site management issue for BCC Parks Department.</i></li> <li>2. Impact on trees – <i>the Council is proposing to retain all trees on site and officers consider there will be no adverse impact. A condition is recommended to ensure retention.</i></li> <li>3. Parking and Traffic Movements - <i>Dfl Roads offer no objection.</i></li> <li>4. Anti-Social Behaviour – <i>anti-social behaviour is a matter that should be raised with the PSNI by those concerned.</i></li> </ol> |
| <b>6.0</b> | <b>PLANNING ASSESSMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>6.1</b> | <b>Development Plan Context</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6.1.1      | Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.                                                                                                                                                                                                                                                                                                                                                                                                         |
| 6.1.2      | Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 6.1.3      | The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan (“Departmental Development Plan”) until the Local Policies Plan is adopted.                                     |
| 6.1.4      | <b>Operational policies</b> – the Plan Strategy contains a range of operational policies relevant to consideration of the application, which are set out in section 4.0 of this report. The Plan Strategy replaces the operational policies previously provided by the Departmental Planning Policy Statements (PPSs). Those policies no longer have effect, irrespective of whether planning applications have been received before or after the adoption date (par. 1.11 of the Strategic Planning Policy Statement).                                                                                                                                                                       |
| 6.1.5      | <b>Proposals Maps</b> – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations, and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.                          |
| 6.1.6      | The site is located within an Area of High Scenic Value and an Area of Constraint on Mineral Developments within dBMAP (v2004), and an Area of High Scenic Value -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| <p>6.2</p> <p>6.2.1</p> <p>6.3</p> <p>6.4</p> <p>6.5</p> <p>6.6</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>Designation COU 8/06 and an Area of Constraint on Mineral Developments - Designation COU 8/08 within dBMAP (v2014).</p> <p><b>Key Issues</b></p> <p>The key issues to be considered in this application are:</p> <ul style="list-style-type: none"> <li>• Impact on Listed Building</li> <li>• Impact on amenity</li> <li>• Impact on the character and appearance of the area</li> <li>• Other Considerations</li> </ul> <p><b>Impact on Listed Building:</b><br/>The proposal site is located in the consultation zone of Grade B+ Listed Building, Castlereagh Presbyterian Church. Historic Environment Division (HED) was consulted and had no objection to the proposal.</p> <p><b>Impact on Amenity:</b><br/>The proposed ball stop fencing and netting is not located close to any neighbouring dwellings for any loss of light or overshadowing to occur. DfI Roads was consulted in relation to parking and traffic movements with the proposal. They had no objection to the proposal.</p> <p><b>Character and Appearance of the Area:</b><br/>The proposed ball stop net and 1.2m spectator fencing is considered appropriate for the use of the playing pitch it will border. The use of slim steel posts with the net means is considered sympathetic to the existing site and surrounding area. Public views of the ballstop and spectator fencing would largely be limited to near distance views from Church Road to the north of playing field. It is considered that existing trees around the site periphery would also filter views of the structures and on balance, the proposal would not result in unacceptable detrimental visual impacts.</p> <p><b>Other Considerations</b><br/>The proposal would not cause any loss of existing trees and an appropriate condition is recommended to ensure the protection of existing trees.</p> |
| <p>8</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>Recommendation</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>8.1</p> <p>8.2</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p>Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is approved.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the approval reason and deal with any other issues that arise, provided that they are not substantive.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>DRAFT CONDITIONS:</b></p> <p>1. The development hereby permitted must be begun within five years from the date of this permission.<br/>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>2. The existing trees of the site shall be retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal. Compensatory planting shall be completed in accordance with the agreed arrangements and retained as such thereafter.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Reason: To safeguard the amenities of neighbouring occupiers and in the interests of visual amenity.

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