

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 29/06/15	Item Number:
Application ID: Z/2013/1293/F	Target Date:
Proposal: Proposed changing pavilion and 3G pitch, with associated perimeter fencing, floodlighting and additional car parking facilities (Light Spill Report Received).	Location: Falls Park 513 Falls Road Belfast - 125m South of Whiterock Leisure Centre - BT12 5HQ
Referral Route: Belfast City Council application	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council	Agent Name and Address: Gregory Architects 4 Crescent Gardens Belfast
<p>Executive Summary:</p> <p>The application was presented to Planning Committee on 16 June 2015 with a recommendation to approve. The Committee agreed to defer the application for further consultation.</p> <p>The Town Solicitor received a complaint in relation to the decision to defer the application for further consultation. Having reviewed the matter he has, in consultation with the Director of Planning and Place, referred the matter back to Committee as is provided for in the Scheme of Delegation.</p> <p>Having reviewed the process for the receipt and consideration of objections to the planning application, administered by Planning Service, no deficit has been ascertained in that process preventing the receipt and consideration of objections. The publicity and neighbour notification for the application fully meets statutory requirements - see Appendix 1. It is this process that is relevant to the determination of issues by the Planning Committee and not the strategic decision taken by the Council to locate a pitch in Falls Park. In respect of the latter the Planning Committee exercises no jurisdiction to revisit decisions of Council. As such, the application is being included on the agenda for consideration as an approval, in line with the officer's recommendation.</p> <p>The proposal seeks full permission for the erection of a changing pavilion and the upgrade of an existing playing field to a 3G pitch, with associated perimeter fencing, floodlighting and ballstop fences. Additional car parking facilities are also proposed.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • Loss of open space • Impact of the proposal on the character of Falls Park • The potential impact of the proposed floodlights on wildlife and the amenity of neighbouring properties; 	

The application was presented to BCC Town Planning Committee in April 2014 with an opinion to approve and was deferred. Members are directed to the full detailed planning report on the planning portal under planning application reference Z/2013/1293/F.

It was brought back to Committee on 7 January 2015 and was due to be issued as an approval. Prior to issue, a late objection was received which raised an issue relating to the proposed floodlighting and light spill report.

The application site lies within the development limits for Belfast and is within an area zoned as a Community Greenway, area of Existing Open Space, an Urban Landscape Wedge and Local Landscape Policy Area. The proposal complies with the Development Plan and relevant policy.

Consultees have no objection.

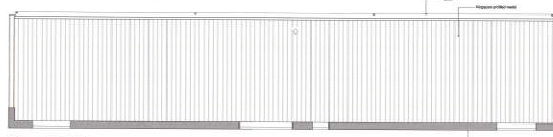
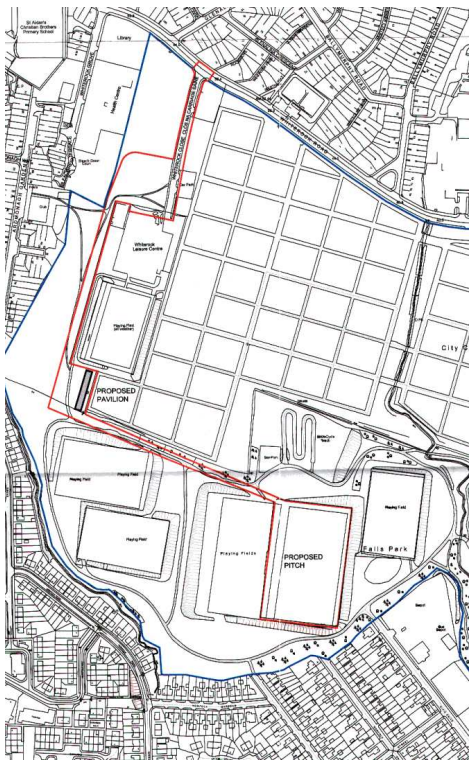
The proposal has generated 98 objections and the issues raised have been considered in the detailed case officer report and the deferral reconsideration report.

In relation to the concerns about the light spill report, Health and Environmental Services was consulted on the 14/04/2015 and is content with the findings of this report subject to conditions to ensure the implementation of the lighting design and mitigation measures and hours of operation of the floodlights.

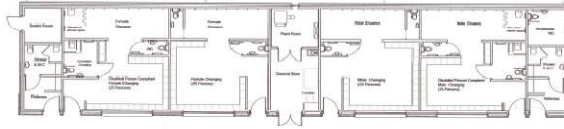
It is recommended that the application is approved and full planning permission given.

Case Officer Report

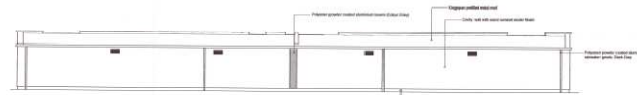
Site Location Plan



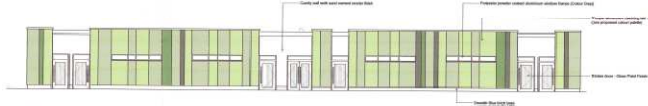
Proposed Roof Plan



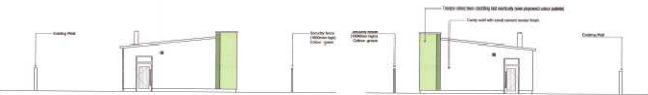
Proposed Floor Plan



Proposed (Pitch Facing) Rear Elevation

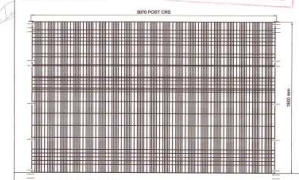
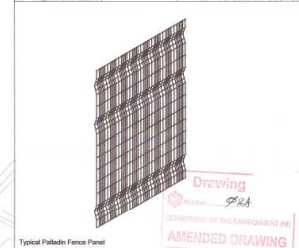
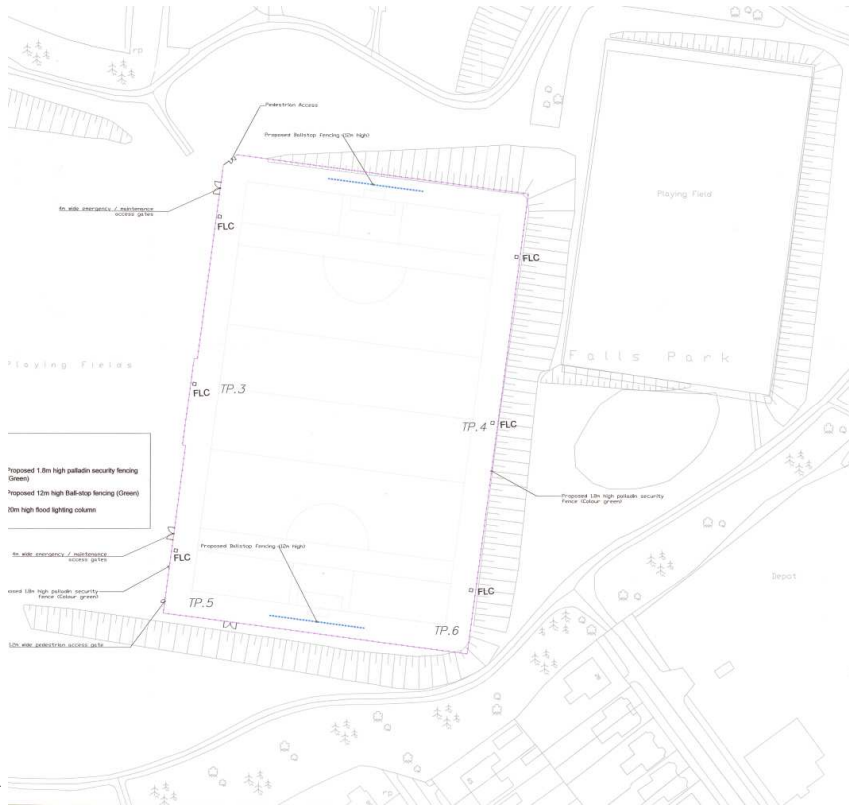


Proposed Front (Park Facing) Elevation



Proposed Side Elevation

Proposed Side Elevation



Consultations:		
Consultation Type	Consultee	Response
		Non- Committal
Non Statutory	Env Health Belfast City Council	No Objection in principle
Non Statutory	Land and Resource Management	No Objection in principle
Non Statutory	NI Water - Multi Units East - Planning Consultations	No Objection subject to conditions
Non Statutory	Transport NI - Hydebank	No Objection subject to conditions
Non Statutory	NIEA: Natural Heritage	No Objection subject to condition
Representations:		
Letters of Support	None Received	
Letters of Objection	98	
<p>Summary of Issues</p> <p>A total of 98 letters of objection have been received. 13 of these have been submitted since the application was presented to council in April 2014.</p> <p>Additional points raised by objectors that were not raised in the original case officer's report include:</p> <ul style="list-style-type: none"> • Vertical illuminances from the floodlights; • Increase in anti-social behaviour due to additional light from the floodlights; • Original light spill report is out-of-date given period of time this application has been in the system; 		
<p>Characteristics of the Site and Area</p> <p>The site is located within Falls Park which is characterised by informal grassed areas, playing pitches with embankments, interspersed with stands of mature trees. There are residential properties adjacent to the park boundary to the south and west of the application site.</p>		
<p>Planning Assessment of Policy and Other Material Considerations</p> <p><u>Addendum Report</u></p> <p>This application was presented to BCC Town Planning Committee on 17 April 2014 with an opinion to approve and was deferred for an office meeting to consider further information. The proposal was assessed against the Area Plan, relevant policy and issues raised by objectors. Members are directed to the full detailed planning report on the planning portal under application reference Z/2013/1293/F.</p> <p>A deferred meeting was held on 28 May 2014 and this resulted in the submission of a light spill report. Neighbours were notified and this led to further objections. The issues raised at the</p>		

deferred office meeting and in the additional objection letters were assessed in a 'Reconsideration' report dated 18/2/2014 (also available on the portal).

The application was brought back to Council on 7 January 2015 with no change of opinion. The Council agreed with the opinion to approve, however, a further objection challenging the validity of the light spill report was received before the decision to approve was issued.

The main issues for consideration in this addendum report are:

- Light Spill report (failure to consider the elevation of the pitch, vertical illuminance and impact on residential amenity as a result of light pollution)
- Increased anti-social behaviour as result of proposed flood lights

To assess the potential impact of the proposed flood lights on residential amenity, further information was requested from the applicant to ensure that the proposed floodlighting complies with PPS 8 Policy OS 7 'The floodlighting of Sports and Outdoor Recreation Facilities. A revised light spill report (dated March 2015) and accompanying drawing was submitted on 2 April 2015. Health and Environmental Services was consulted and is content with the findings of this report and has requested conditions to ensure the lighting design measures recommended in the light spill report are implemented and the flood lights are not operated after 10.00 PM.

It is considered unlikely that the operation of floodlights at the sports facility would directly result in an increase in anti-social behaviour.

Neighbour Notification Checked

Yes

Summary of Recommendation:

The proposal is recommended for approval subject to conditions and informatives.

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. Prior to the occupation of the proposed development, the applicant shall provide to Planning Service, for approval, a Verification Report. This report must demonstrate that the remediation measures outlined in Section 9.4 of the submitted RSK contaminated land report dated August 2013, titled '*Environmental Site Assessment and Generic Quantitative Risk Assessment*' Report No. 600705-10(00) have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (commercial). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report shall be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate that gas protection measures in accordance with CIRIA C665/BS8485 Characteristic Situation 2 have been installed throughout all buildings of the proposed development.

Reason: Protection of human health

3. Prior to the operation of the development, an Artificial Light Verification report shall be submitted to Planning Service for review and approval. The report shall verify that the design measures recommended in the '*Light spill report and floodlighting scheme method statement, Falls Road, Belfast*' prepared by Delap and Waller, Project no: 25273 and accompanying drawing both dated March 2015, have been implemented and must verify that all artificial lighting connected with the development is optically controlled and directed in such a manner as to minimise light pollution from glare and spill at the closest residential receptors.

Reason: Protection of residential amenity

4. The artificial lighting hereby permitted shall not be operational between the hours of 22.00hrs and 08.00hrs.

Reason: Protection of residential amenity

5. The artificial lighting hereby permitted shall be switched off when the sports pitch facility is not in use.

Reason: To safeguard the amenity of residents in adjoining and nearby properties.

6. The artificial lighting hereby permitted shall not be used between the 1st April and 30th September in any given year.

Reason: To minimise the effects of the proposal on bats, a European protected species.

7. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No. 03A bearing the date stamp 23 Jan 2014, prior to the commencement 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.

8. The development hereby approved shall be not occupied until hard surfaced areas have been constructed in accordance with stamped approved drawing no 03A bearing the date stamp 23 Jan 2014 to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure that adequate provision has been made for parking.

9. The gradient of the access road 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 user.

10. The development hereby approved shall not be occupied until development drainage proposal drawings have been submitted to and approved in writing by Northern Ireland

Water Ltd.

Reason: To safeguard the site against flooding.

11. The development hereby approved shall not be occupied until the sewage disposal / drainage works have been completed to the satisfaction of Northern Ireland Water Ltd.

Reason: In the interests of public health and to safeguard the site against flooding.

Falls Park	Ref. Z/2013/1293/F
Action/ Event	dates
Application submitted to DoE Planning.	4 November 2013
Transport NI; Environmental Health; and NI Water consulted.	15 November 2013
Neighbours Notified	18 November 2013 (initial) 9 December 2013 (renotification of all neighbours plus additional neighbours – amended address) 17 December 2013 (additional neighbours notified) 14 October 2014 (objectors notified to inform them that light spill report received). 263 neighbours and objectors notified in total. 98 written objections received (Please refer to sheet, attached).
Advertised in local press (1 st and only advert).	22/11/2013
NIEA Land Resource Management consulted as advised by Environmental Health.	4 December 2013
NIEA Natural Heritage consulted	3 March 2014
DoE group recommendation to approve	April 2014
Deferred by Belfast City Council	April 2014
Office meeting with local residents and Cllr Tim Attwood acting on their behalf.	28 May 2014
Brought back to committee meeting with recommendation to approve	7 January 2015
Late objection received questioning validity of light spill report from Mr. O’Kane	22 January 2015
Revised light spill report received from applicant.	2 April 2015
Mr. O’Kane (objector) was advised that amended light spill report received. Separate complaint file contains detailed correspondence between Mr. O’Kane and planning office.	13 April 2015
Environmental Health reconsulted on receipt of amended light spill report.	14 April 2015
Environmental Health responds and is content with additional information from applicant regarding light spill report.	14 May 2015
Application presented to town planning committee with recommendation to approve	16 June 2015

Additional 13/01/2014	20/12/2013	Objection	Document	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	View	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	View	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	View	letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	View	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	View	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	View	Letter of Objection
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection - Ms H Campbell
Additional 13/01/2014	20/12/2013	Letter of Objection	View	Letter of Objection - Ms B Logan
Additional 13/01/2014	20/12/2013	Letter of Objection	Document	Letter of Objection - R & A Star
Additional 13/01/2014	18/12/2013	Letter of Objection	View	Mr Campbell's objection
Additional 13/01/2014	18/12/2013	Letter of Objection	Document	objection from 30 Norfolk Parade
Additional 13/01/2014	18/12/2013	Letter of Objection	View	objection from 40 Norfolk Parade
Additional 13/01/2014	18/12/2013	Letter of Objection	Document	Mr Murray's objection
Additional 13/01/2014	19/12/2013	Letter of Objection	View	objection from 26 Norfolk Parade
Additional 13/01/2014	19/12/2013	Letter of Objection	Document	Ms Boyce's objection
Additional 13/01/2014	19/12/2013	Letter of Objection	View	Mr and Mrs O'Gorman's
Additional 13/01/2014	19/12/2013	Letter of Objection	Document	objection from 7A Norfolk Parade
Additional 13/01/2014	19/12/2013	Letter of Objection	View	objection from 22 Norfolk Parade
Additional 13/01/2014	19/12/2013	Letter of Objection	Document	objection from 31 Norfolk Parade
Additional 13/01/2014	19/12/2013	Letter of Objection	View	Ms Kane's objection
Additional 13/01/2014	19/12/2013	Letter of Objection	Document	objection from 77 Norfolk Parade
Additional 13/01/2014	19/12/2013	Letter of Objection	View	Mr Kelly's objection
Additional 13/01/2014	19/12/2013	Letter of Objection	Document	objection from 35 Norfolk Parade
Additional 13/01/2014	19/12/2013	Letter of Objection	View	Ms Wilkinsons objection
Additional 13/01/2014	19/12/2013	Letter of Objection	Document	objection from 4 Norfolk Parade

Additional 13/01/2014	19/12/2013	Letter of Objection	View Document	objection from 28 Norfolk Drive
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Mr J McGeown
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms P McCann
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms L Mallon
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M McClory
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M Devlin
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms G Holland
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms D McEneaney
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M Burke
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - K Ferrin
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M Kelly
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Mrs P McLaughlin
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M McDermott
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms A Carbery
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M Gorman
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Mr S O'Kane
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms M Nic Sheain
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Mr J McCann
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - Ms A Kernaghan
Additional 13/01/2014	20/12/2013	Letter of Objection	View Document	Letter of Objection - E Smyth
Additional 24/01/2014	16/01/2014	Letter of Objection	View Document	Leann and Luke Gribbin
Additional 24/01/2014	16/01/2014	Letter of Objection	View Document	Ms Mona Hillan
Additional 27/02/2014	10/02/2014	Letter of Objection	View Document	Mr D Morrison and Leslie van Slyke
Additional 27/02/2014	10/02/2014	Letter of Objection	View Document	Frances Maguire
Additional 03/03/2014	27/02/2014	Letter of Objection	View Document	Mrs Aithne Kerrigan
Additional 03/03/2014	27/02/2014	Letter of Objection	View Document	Mr and Mrs Malone
Additional 04/03/2014	27/02/2014	Letter of Objection	View Document	Mrs Frances Maguire
Additional 22/10/2014	14/10/2014	Letter of Objection	View Document	Letter of Objection - Stephen OKane
Additional 11/11/2014	30/10/2014	Letter of Objection	View Document	Letter of Objection - J Quinn
Additional 11/11/2014	07/11/2014	Letter of Objection	View Document	
Additional 11/11/2014	07/11/2014	Letter of Objection	View Document	Aine Andrews
Additional 18/11/2014	18/11/2014	Letter of Objection	View Document	Letter of Objection - Peter Hesketh
Additional 18/11/2014	18/11/2014	Letter of	View	Letter of Objection - P Hesketh

Additional 18/11/2014	18/11/2014	Objection Letter of Objection	Document View	Letter of Objection - Susan Hesketh
Additional 20/11/2014	11/11/2014	Letter of Objection	Document View	Mr. Stephen O'Kane
Additional 20/11/2014	07/11/2014	Letter of Objection	Document View	Mr. Hesketh
Additional 30/03/2015	13/02/2015	Letter of Objection	Document View	Mr Joe Quinn
Additional 30/03/2015	10/03/2015	Letter of Objection	Document View	Mr Stephen O'Kane
Additional 13/04/2015	13/04/2015	Letter of Objection	Document View	PAO Z/2013/1293/F Letter of Objection_20150413 15015650
Additional 24/04/2015	19/03/2015	Letter of Objection	Document View	Mrs Frances Maguire

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