

Development Management Officer Report Committee Application

| Summary | |
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| Committee Meeting Date: 20/10/2015 | Item Number: |
| Application ID: Z/2014/1734/F | |
| Proposal: Construction of a bitmac multi-use games area and playground, including perimeter fence (2.4m & 3.0m) | Location: Land on Bloomfield Walkway(Comber Greenway) immediately to south of Walkway Community Centre (1-9 Finvoy Street) BT5 5DH |
| Referral Route: BCC is the agent | |
| Recommendation: | Approval |
| Applicant Name and Address: Walkway Community Association 1-9 Finvoy Street Belfast BT5 5DH | Agent Name and Address: Belfast City Council Adelaide Exchange 24 Adelaide Street Belfast BT2 8GD |
| <p>Executive Summary:</p> <p>This application seeks full planning permission for the construction of a bitmac multi-use games area and playground, including perimeter fence (2.4 and 3m) and retaining wall not exceeding 1m in height. The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> • The principle of a playground and multi-use games area on the site; • Impact on the Comber Greenway a designated Community Greenway; • Impact on the amenity of neighbouring residents <p>Three representations received. Issues raised:</p> <ul style="list-style-type: none"> • Need for playground; • Parking; • Privacy; • Loss of open space/change of character of the area. <p>The site is within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan 2015 and within an area designated as a Community Greenway (BT147/06 – Comber Greenway).</p> <p>The proposal has been assessed against SPPS, Planning Policy Statement 3 – Access, Movement and Parking, Planning Policy Statement 8 – Open Space, Sport, and Outdoor Recreation, and Development Control Advice Note 15 – Vehicular Access Standards, BMAP Policy OS1. The proposal is in adherence to all the relevant planning policies.</p> <p>Consultees have no objections subject to conditions.</p> <p>The proposed facility is located within the Comber Greenway. The re-development of a small portion of the existing grassed informal open space will provide a substantial community benefit, and maintain its open space classification. It will also maintain the existing linkages along the</p> | |

Comber Greenway. The provision of these facilities on the Comber Greenway can be deemed to promote the pedestrian linkages of the Greenway by providing access to play and games facilities within walking distance from adjacent residential areas and further. The proposal will not result in any detrimental impact on local residential amenity.

Having had regard to the development plan, relevant planning policies, and other material considerations and having considered all the issues raised in the representations, it is considered that the development will not cause demonstrable harm to interests of acknowledged importance.

It is recommended that the application is approved subject to conditions as set out in the report.

Case Officer Report

Site Location Plan



Consultations:

| Consultation Type | Consultee | Response |
|-------------------|---------------------------------|-------------------------------|
| Non Statutory | NI Transport - Hydebank | Substantive Response Received |
| Non Statutory | Water Management Unit | Substantive Response Received |
| Non Statutory | Env Health Belfast City Council | Add Info Requested |
| Non Statutory | NI Transport - Hydebank | Substantive Response Received |
| Non Statutory | Env Health Belfast City Council | Add Info Requested |
| Non Statutory | Env Health Belfast City Council | Substantive Response Received |

Representations:

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| Letters of Support | None Received |
| Letters of Objection | 3 |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |

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| Characteristics of the Site and Area | |
| 1.0 | <p>Description of Proposed Development</p> <p>The proposal is for the construction of a bitmac multi-use games area and playground, including perimeter fence (2.4m and 3.0m) and retaining wall not exceeding 0.9m in height.</p> |
| 2.0 | <p>Description of Site</p> <p>The application relates to Lands on Bloomfield walkway immediately to the south of walkway community centre, 1-9 Finvoy Street, Belfast. Bloomfield Walkway forms part of the Comber Greenway. The site is an area of grass land annually used as a bonfire site. Tarmac walkways define the proposal site. The site slopes from the south east to the north west. The area is characterised by two storey terrace dwellings to the north east and south west of the site.</p> |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 | <p>Site History</p> <p>3.1 Z/1981/1487 - Comber Railway Line, Holywood Arches - Proposed Landscaping and Recreation Area – Granted</p> <p>3.2 Z/1982/0209 – Proposed Car Park for Department of Environment (NI) – Granted</p> |
| 4.0 | <p>Policy Framework</p> <p>4.0.1 Regional Development Strategy</p> |
| 4.1 | 4.1.1 Belfast Metropolitan Area Plan 2015 |
| | 4.1.2 Policy OS 1 – Community Greenways |
| 4.2 | <p>SPPS, Planning Policy Statements 1-24 specify</p> <p>4.2.1 Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development</p> <p>4.2.2 Planning Policy Statement 3: Access, Movement and Parking</p> <p>4.2.3 Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation</p> <p>4.2.4 BMAP Greenways Clarification Booklet</p> |
| 5.0 | Assessment |
| 5.1 | The proposal is considered to be in compliance with the development plan. |
| 5.2 | <p>5.2.1 The key issues are the effect of the proposal upon the Comber Greenway, impact on the amenity of neighbouring residents, visual amenity and character of the area and consideration of representations received.</p> <p>5.2.2 The site is located within an area designated in BMAP as a community Greenway</p> |

(BT147/06 – Comber Greenway) therefore policy OS 1 of BMAP 2015 applies. The proposal complies with policy OS 1 in that it will not prejudice the retention, enhancement or further development of the Comber Greenway. The proposal does not impact on the existing public footpaths within the greenway and as such it does not reduce existing linkages within the greenway. The proposed play park and multi –use games area is considered to be an enhancement without having a detrimental impact on the Comber Greenways purpose to link the between countryside and urban Areas maintaining the integrity of the Comber Greenway route.

5.2.3 Strategic Planning Policy Statement for Northern Ireland (SPPS) sets out the core planning principles as being;

- Improving Health and Well-Being;
- Creating and Enhancing Shared Space;
- Supporting Sustainable Economic Growth;
- Supporting Good Design and Positive Place Making; and
- Preserving and Improving the Built and Natural Environment.

5.2.4 The SPPS supersedes Planning Policy Statements 1: General Principles, 5: Retailing and Town Centres and 9: The Enforcement of Planning Control. Transitional arrangements are in place that all remaining Planning Policy Statements apply until a Plan Strategy for the whole Council area is adopted.

5.2.5 The provision of a play park and multi-use games area is deemed to be creating and enhancing a shared space whilst not having a detrimental impact on the surrounding built and natural environment. The proposal does not take away from the visual amenity of the area.

5.2.6 Transport NI has considered the proposal and deemed it to be acceptable and in compliance with AMP 1 of Planning Policy Statement 3: Access, Movement and Parking.

5.2.7 Policy OS1 of Planning Policy Statement 8 applies. The proposal will not result in a loss of open space as the proposed play park and multi-use games area falls within the definition of open space as set out in the policy. The provision of such facilities is viewed as a planning gain that will benefit the surrounding community. The provision of these facilities on the Comber Greenway can be deemed to promote the pedestrian linkages of the Greenway by providing access to play and games facilities within walking distance from adjacent residential areas and further.

5.2.8 In relation to the representation from the occupier of no.4 Finvoy Street in terms of need for a playground the policy does not stipulate a need is required to be demonstrated. Transport NI was re-consulted in relation to the concerns re parking and had no objections to the proposal. In respect of concerns in terms of loss of privacy there is sufficient separation distance between the proposal site and the dwellings on Finvoy Street. The proposal does not include the removal of any of the vegetation located between the dwellings on Finvoy Street and the site therefore the existing vegetation will help screen the proposal from existing dwellings and on this basis, it is considered that there will be no significant impact on residential amenity as a result of loss of privacy. With regard to change of character from a peaceful residential area to a busy open space as discussed above, although the grassed area is fenced off, the proposed facility falls within the definition of open space and accordingly there is no loss of open space. There is also sufficient distance between the proposal and existing dwellings to protect residential amenity.

5.2.9 In relation to the representations from the occupiers of no.32 and no. 33 Crystal

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| | <p>Street in terms of anti social behaviour this is a matter for the Police Service of Northern Ireland (PSNI) as this is outside the remit of planning legalisation. In terms of purchasing dwellings adjacent to the proposal site this is a matter for Legal Services and the Courts to consider.</p> <p>5.2.10 In terms of the impact of the proposal on the amenity of neighbours there is a sufficient separation distance between the proposal site and neighbouring dwellings ensuring that privacy will not be detrimentally impacted upon. In terms of noise disturbance the Walkway Community Centre advised opening hours intended to be 9am to 9pm and that there are no floodlights proposed. Environmental Health was consulted in relation to this and has no objections to the proposal. The opening hours can be controlled by the attachment of a condition.</p> |
| 5.3 | <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons. Opening hours condition to protect the amenity of neighbouring residents.</p> |
| 6.0 | <p>Summary of Recommendation: Approval subject to conditions</p> |
| 7.0 | <p>Conditions</p> <ol style="list-style-type: none"> 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. <p>Reason: Time Limit.</p> <ol style="list-style-type: none"> 2. The play park and multi- use games area shall only be used between the hours of 09:00 and 21:00hrs each day. <p>Reason: In the interests of residential amenity.</p> |

| ANNEX | |
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| Date Valid | 18th December 2014 |
| Date First Advertised | 27th February 2015 |
| Date Last Advertised | N/A |
| Details of Neighbour Notification (all addresses) The Owner/Occupier, 1-9, Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 10 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 12 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 14 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 15 Lena Street, Ballyhackamore, Belfast, Down, BT5 5BJ, The Owner/Occupier, 16 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 18 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 2 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 20 Chobham Street, Ballyhackamore, Belfast, Down, BT5 5BL, The Owner/Occupier, 20 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 21 Chobham Street, Ballyhackamore, Belfast, Down, BT5 5BL, The Owner/Occupier, 26 Beechwood Street, Ballyhackamore, Belfast, Down, BT5 5BQ, The Owner/Occupier, 32, Crystal Street, Belfast, Down, Northern Ireland, BT5 5BS The Owner/Occupier, 33, Crystal Street, Belfast, Down, Northern Ireland, BT5 5BS Owner/ Occupier, 4 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 6 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 8 Finvoy Street, Ballyhackamore, Belfast, Down, BT5 5DH, The Owner/Occupier, 8 Lena Street, Ballyhackamore, Belfast, Down, BT5 5BJ, | |
| Date of Last Neighbour Notification | 12th February 2015 |
| Date of EIA Determination | N/A |
| ES Requested | No |
| Planning History Ref ID: Z/1982/0209 Proposal: PROPOSED CAR PARK FOR DEPARTMENT OF ENVIRONMENT (NI) Decision: Granted Ref ID: Z/1981/1487 Proposal: PROPOSED LANDSCAPING AND RECREATION AREA Address: COMBER RAILWAY LINE, HOLYWOOD ARCHES Decision: Granted | |
| Summary of Consultee Responses Transport NI – No objection and recommended the attachment of informatives NIEA Water Management – No objection | |

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| Environmental Health – No objection |
| Drawing Numbers and Title |
| Drawing No. 01 Site Location |
| Drawing No. 02 Site Layout Plan |
| Drawing No. 03 Elevations |
| Drawing No. 04 Cross Sections |