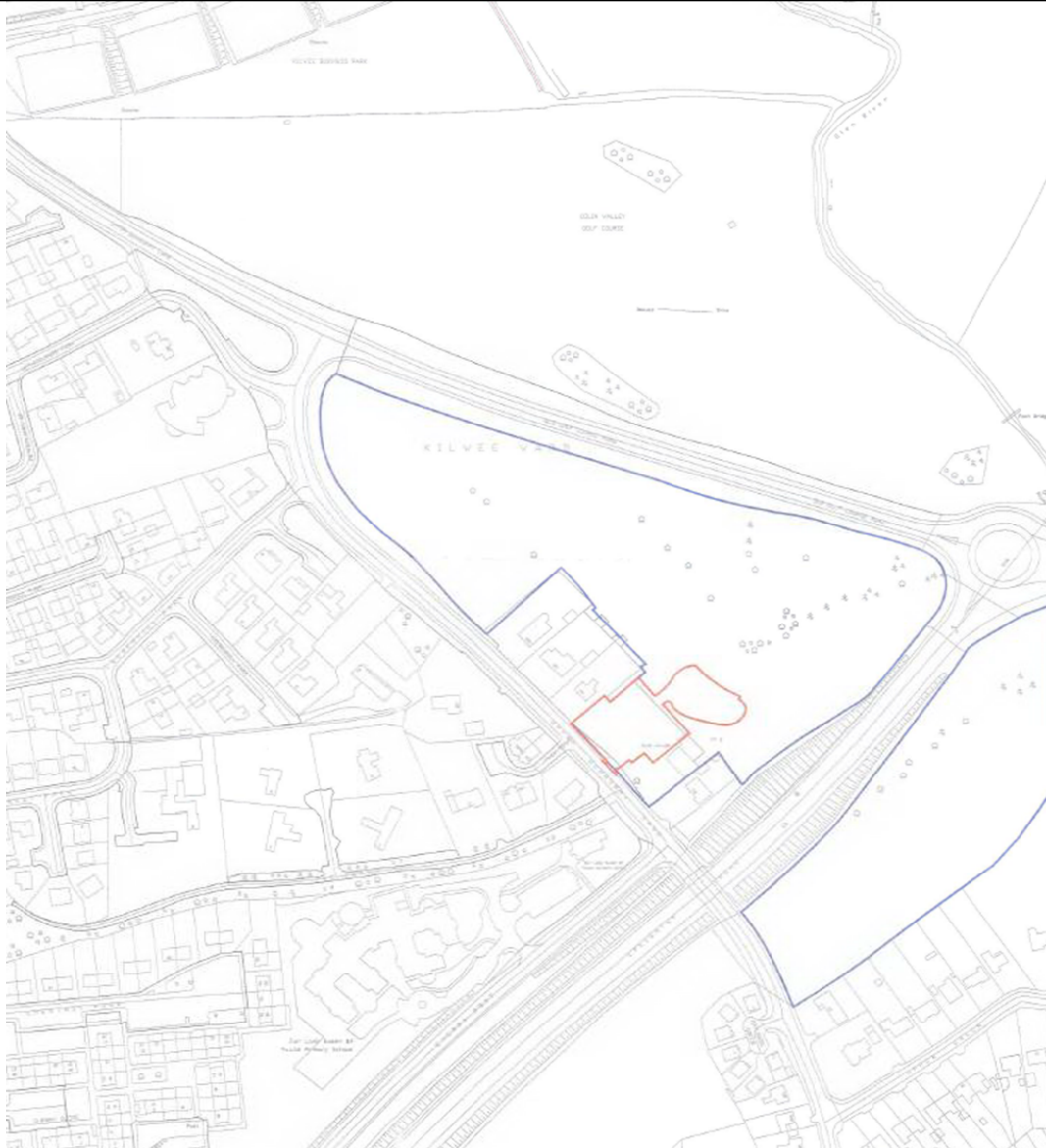


Committee Application

Development Management Report	
Application ID: LA04/2018/0283/F	Date of Committee: 14 August 2018
Proposal: The proposals incorporate environmental improvements to include a play area and the resurfacing of an existing car park along with the introduction of screen planting between the car park and existing adjacent residential properties. The existing vehicle and pedestrian entrance will be maintained off Upper Dunmurry Lane.	Location: Lands adjacent to 115 & 119 Upper Dunmurry Lane, Dunmurry Belfast
Referral Route: Applicant is Belfast City Council	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council 9 Adelaide Belfast BT2 8DJ	Agent Name and Address: AECOM Clarence West Building 2 Clarence Street West Belfast BT2 7GP
<p>Executive Summary:</p> <p>Full permission is sought for environmental improvements to include a play area and the resurfacing of an existing car park along with the introduction of screen planting between the car park and existing adjacent residential properties. The existing vehicle and pedestrian entrance will be maintained off Upper Dunmurry Lane.</p> <p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Open space provision • Impact on residential amenity of neighbours; • Parking provision and access; • Other environmental factors. <p>The principle of development and the proposed recreational use as open space is established and will continue; forming part of a larger open space area.</p> <p>No objections have been received.</p> <p>Environmental Health, Transport NI and NIEA have no objection to the proposal.</p> <p><u>Recommendation:</u></p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions. It is recommended the final wording of the conditions be delegated to an authorised officer.</p>	

Site Location Plan



Characteristics of the Site and Area

1.0 Description of Proposed Development

The proposal is for full planning permission, incorporating environmental improvements to include a play area, the resurfacing of an existing car park along with the introduction of screen planting between the car park and existing adjacent residential properties. The existing vehicle and pedestrian entrance will be maintained off Upper Dunmurry Lane.

2.0 Description of Site

The site is located on lands adjacent to 115 and 119 Upper Dunmurry Lane, Belfast. The site was formerly the Colin Valley Golf Club. Currently on the site is a car park which was used for the golf club and an existing vehicular and pedestrian entrance. Whilst the site is existing open space its physical condition and appearance has been unmaintained and therefore has the appearance of being rough open space. The site forms part of a larger

	open space area which is to comprise a path network, wetland and the proposed playground and carpark.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	<p>3.1 LA04/2017/1401/PAD - A local scale public park on an existing disused site (part of a former golf course). Proposals comprise a path network, a playground, a wetland and a car park. The playground will likely be installed in a second phase, subject to funding streams and future potential proposals may also include sensitively designed interpretation devices and installation.</p> <p>3.2 S/2004/0114/F - Residential Development and ancillary site works. (96 units in total) – Appeal Dismissed</p> <p>3.3 S/2002/0894 - Site for residential development comprising 115 dwellings over both sites – Withdrawn</p> <p>3.4 S/2001/1146/O - Secondary school for La Salle Boys - Withdrawn</p> <p>3.5 S/2001/0317 - Site for Secondary School for La Salle Boys' - Withdrawn</p> <p>3.6 S/2000/1331 - La Salle Secondary School - Withdrawn</p> <p>3.7 S/1996/1064/O - Site for horticultural training centre with associated facilities and gardens - Withdrawn</p>
4.0	Policy Framework
4.1	Regional Development Strategy
4.2	<p>4.2.1 Lisburn Area Plan 2001</p> <p>4.2.2 Draft Belfast Metropolitan Area Plan 2015</p>
4.3	<p>4.3.1 Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>4.3.2 Planning Policy Statement 2: Natural Heritage</p> <p>4.3.3 Planning Policy Statement 3: Access, Movement and Parking</p> <p>4.3.4 Planning Policy Statement 8: Open Space and Recreation</p>
5.0	Statutory Consultees Responses
5.1	DOE NIEA – Natural Heritage – No objection
5.2	DRD Transport NI – No objection
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – No objection and recommended the attachment of an informative.
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No comments have been received.
8.0	Other Material Considerations
8.1	Under the draft BMAP 2015 plan that was adopted and now subsequently quashed the site was designated as follows;

8.2	<p>The southern hardstanding part of the site adjoining Upper Dunmurry Lane is Whiteland. This corresponds with the area for proposed parking.</p> <p>The northern portion of the site is designated as an area of existing open space. This corresponds with the proposed play area.</p>
8.3	<p>The northern portion of the site is designated as an Urban Landscape Wedge – ML 21 – Colin Glen.</p>
8.4	<p>Community greenways ML 23/01 – Lady Dixon/Belfast Hills and ML 23/02 – Lagan Valley Regional Park to Colin Valley Golf Course run adjacent to the south west of the site and to the north.</p>
9.0	Assessment
9.1	<p>The key issues in the assessment of the proposed development include;</p> <ul style="list-style-type: none"> • Principle of development and use; • Open space provision; • Impact on residential amenity of neighbours; • Impact on the urban landscape wedge; • Parking provision and access; • Other environmental factors.
9.2	<p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Lisburn Area Plan 2001 is now the statutory development plan for the area.</p>
9.3	<p>Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p>
9.4	<p>As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.</p>
9.5	<p>The site is partially Whiteland and partially designated as an area of existing open space and an urban landscape wedge under draft BMAP 2015. The same designations applied under the formerly adopted BMAP 2015.</p>
9.6	<p>Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.</p>
9.7	<p><u>Principle of development and use</u></p> <p>The southern portion of the site adjacent to Upper Dunmurry Lane and occupied by hardstanding is Whiteland. The proposed parking will be located in this area and given the screen planting proposed will improve the visual amenity of what was historically used as a car park for the golf course and as such is considered an acceptable use in principle. The upper part of the site is currently designated as existing open space and an urban landscape wedge. The proposal will retain the use as open space and the provision of a</p>

	playpark will provide usable open space for children and therefore complies with the Draft Belfast Metropolitan Area Plan 2015.
9.8	<p><u>Open space provision</u></p> <p>In respect of Policy OS 1 of Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation, the proposal complies in that it will not lead to the loss of any existing open space but will be enhanced through the environmental improvements, provision of a play park facility and the re-use of a car park to provide access for those visitors to it and the wetland and network paths which form part of the larger open space area. The proposal will ensure that the physical condition and appearance of the open space is maintained and useable for visitors.</p>
9.9	<p><u>Impact on residential amenity of neighbours</u></p> <p>In terms of the proposed impact of the proposal on adjacent neighbouring residents, no objections have been received, Environmental Health were consulted and raised no concerns in terms of noise or disturbance to neighbours from the proposed playpark and car park. The recreational use has previously been established by the former Colin Valley Golf Club.</p>
9.10	<p><u>Impact on the Urban Landscape Wedge</u></p> <p>The proposal will not adversely impact on the Urban Landscape Wedge in which it is situated. The proposal retains the recreational use of the open space with a play park for use by the community. The open nature of the urban landscape wedge will be retained and the proposals will not disrupt long or short range views of the urban landscape wedge from Upper Dunmurry Lane, Old Golf Course Road and Creighton Road. It is considered that the proposal complies with Policy UE 4 of draft BMAP 2015.</p>
9.11	<p><u>Parking provision and access</u></p> <p>Transport NI were consulted and found the initial proposal in respect of the access and layout of the car park unacceptable. An amended layout has been submitted and Transport NI advised they have no objection.</p>
9.12	<p><u>Other environmental factors</u></p> <p>NIEA initially requested a Badger survey, however contacted the council to advise this was a misinterpretation and that a Badger survey was subsequently not required. An appropriate informative is attached.</p> <p>Whilst Community greenways ML 23/01 – Lady Dixon/Belfast Hills and ML 23/02 – Lagan Valley Regional Park to Colin Valley Golf Course run adjacent to the south west of the north of the site along Old Golf Course Road, the proposal will not detrimentally impact on either. The site will benefit from the existing linkages that these greenways both provide.</p>
9.13	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>

	<p>2. The vehicular access shall be provided in accordance with Drawing No.03B bearing the date stamp 5th July 2018 prior to the operation of any other works or other development hereby permitted.</p> <p>REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</p> <p>3. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.03B bearing the date stamp 5th July 2018 to provide for parking and traffic circulation 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 in connection with the approved development.</p> <p>REASON: To ensure adequate provision has been made for parking and traffic circulation within the site.</p> <p>Informatives</p> <ol style="list-style-type: none"> 1. <u>Clean Neighbourhoods and Environment (Northern Ireland) Act 2011</u> Should any unforeseen ground contamination be encountered during the development, all works on the site should immediately cease. Belfast City Council should be informed and a full written risk assessment in line with current government guidance (Model Procedures for the Management of Land Contamination - CLR11) that details the nature of the risks and any necessary mitigation measures should be prepared and submitted for appraisal. 2. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud or debris deposited on the road must be removed immediately by the contractor. 3. Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the Department for Infrastructure Section Engineer whose address is: Belfast North Section Office, 148-158 Corporation Street, Belfast, BT1 3DH. A monetary deposit will be required to cover works on the public road. 4. All construction plant and materials shall be stored within the curtilage of the site. 5. The applicant's attention is drawn to the Wildlife (Northern Ireland) Order 1985 which indicates that it is an offence to intentionally kill, injure or take any wild animal included in Schedule 5 of this Order which includes the Badger. It is also an offence to disturb these animals or obstruct access to their place of refuge, or destroy or damage anything which conceals or protects their place of refuge.
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Notification to Department (if relevant)	
N/A	

Representations from Elected members:

N/A