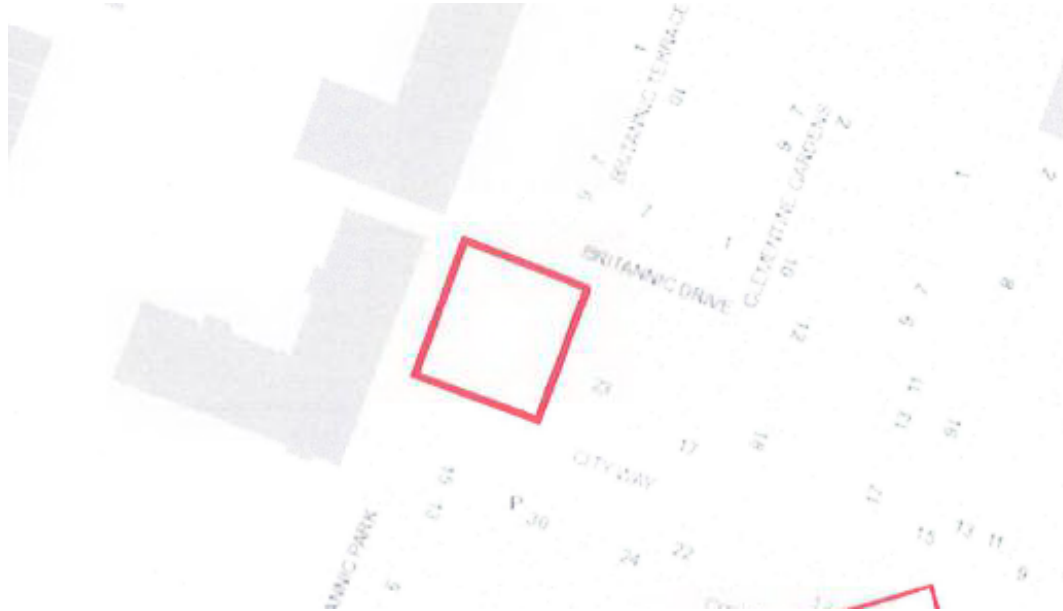


Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 19th February 2019	
Application ID: LA04/2018/2451/F	Target Date:
Proposal: Refurbishment of existing play area with the proposed introduction of MUGA playing surface with goal posts & basketball nets & perimeter fencing with outdoor play park equipment on wetpour rubber safety surfacing. Introduction of paved BBQ area, with retention & modification of some of the existing perimeter fencing.	Location: 30 metres south west of 9 Britannic Terrace Belfast BT12 5HS.
Referral Route: Belfast City Council - Co-Applicant	
Recommendation:	Approval
Applicant Name and Address: Sandy Row Community Forum in Conjunction with Belfast City Council. 63/75 Sandy Row Belfast BT12 5ER	Agent Name and Address: McCartan Muldoon Architects 22A Lisburn Street Hillsborough BT26 6AB
<p>Executive Summary: The application seeks full permission to refurbish the existing play area at Britannic Drive with the introduction of a multi-use games area (MUGA), playing surface including goal posts, basketball nets and perimeter fencing with outdoor play park equipment. A paved BBQ area is also proposed with the retention and modification of the existing perimeter fencing.</p> <p>The main issues to be considered in this case are:</p> <ul style="list-style-type: none"> - Principle of development at this location; - Contaminated Land; and - Impact on residential amenity. <p>The application site lies within the development limits for Belfast and complies with the Development Plan and planning policy context.</p> <p>DFI Roads and Environmental Health were consulted and have no objections to the application.</p> <p>No third party representation have been received in respect of this proposal.</p> <p>Recommendation: Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval with delegated authority for the Director of Planning and Building Control to finalise the wording of conditions.</p>	
Signature(s):	

Case Officer Report

Site Location Plan



Existing Layout



Proposed Layout



Consultations:

Consultation Type	Consultee	Response
Non Statutory	DFI Roads - Hydebank	No Objection
Non Statutory	Env Health Belfast City Council	No objection

Representations:

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

Summary of Issues

The main issues considered in this case are:

- Principle of development at this location;
- Contaminated Land; and
- Impact on residential amenity.

Characteristics of the Site and Area	
1.0	Description of Site
1.1	The site is located between Britannic Park and Britannic Terrace and is accessed from Sandy Row via Linfield Gardens. The site is currently used as a community garden which is separated into areas with a basketball court in the north west corner, a grassed area to the north west, an area of hardstanding 'Bitmac surfacing' to the south east and a second grassed area with paving and seating to the south west. To the western boundary of the site there is a wall with a fence on top measuring a total height of 6m which is to be retained.
2.0	Description of Proposed Development
2.1	Refurbishment of existing play area with the proposed introduction of MUGA playing surface with goal posts & basketball nets & perimeter fencing with outdoor play park equipment on wetpour rubber safety surfacing. Introduction of paved BBQ area, with retention & modification of some of the existing perimeter fencing.
Planning Assessment of Policy and other Material Considerations	
3.0	Site History
	None relevant
4.0	Policy Framework
4.1	Strategic Planning Policy Statement Draft Belfast Urban Area Plan Belfast Urban Area Plan Planning Policy Statement 3: Access, Movement and Parking Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation
5.0	Statutory Consultees Responses
5.1	None
6.0	Non Statutory Consultees Responses
6.1	DFI Roads
6.2	Environmental Health
7.0	Representations
7.1	The application has been neighbour notified and advertised in the local press. No representation were made with regard to this proposal.
8.0	Other Material Considerations
8.1	None relevant
9.0	Main Issues
	<ul style="list-style-type: none"> - Principle of development at this location; - Contaminated Land; and - Impact on residential amenity.
10.0	Assessment

10.1	<u>Policy Context</u>
10.2	Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the version of BMAP purported to be adopted still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
11.0	Principle of Development
11.1	The site is currently provides a community facility comprising grassed and hard surfaced areas with seating and a basketball area. It is proposed to upgrade the area to provide a multi-use games area with new surfacing. The proposed upgrade will not impact upon the existing land use (open space/recreation) and the development is in principle considered acceptable.
12.0	Impact on residential amenity
12.1	The site is bounded by residential dwellings at Britannic Park, Britannic Terrace, Britannic Drive and City Way and offices at Weavers Court. The proposed 3m high paladin fence is located on the Britannic Drive elevation to the north of the site and to the east of the site. The fence is not considered to have an adverse impact on visual amenity of neighbouring residential properties as the nearest properties located at 9 Britannic Terrace and 23 Britannic Drive have a blank gable wall to the side elevation of their properties and will not be overlooking the fence. On the southern half of the site the existing 1.8m fence is to be retained.
12.2	The proposed paved BBQ and picnic area is located in the south west corner of the site which is located in the same position as the existing BBQ area and is not considered to create any additional nuisance in terms of noise, odour or air pollution to the neighbouring residential dwellings.
12.3	There is not considered to be any significant increase to the noise levels at the site as a result of this application. Environmental Health was consulted and have not raised any concerns in relation to noise levels within the area. It is proposed to attach a condition restricting the times of use of the MUGA playing surface and basketball court to protect residential amenity of neighbouring occupants. A Contaminated Land Risk Assessment was requested and considered by Environmental Health. Environmental Health had no objections to the proposal following the submission of this report subject to conditions.
13.0	Design
13.1	In terms of visual amenity, the proposal is considered to be an improvement to what is currently on site. The upgrade of the MUGA and ball court will also contribute positively to improving the residential and visual amenity. The entrance gates will be padlocked to ensure the security of the play area and deter any potential anti-social behaviour.
13.2	A small section of grassed area is to be removed as a result of the proposal and replaced with the new MUGA and ball court. The MUGA will incorporate a number of pieces of play equipment including swings, a roundabout, a seesaw, springers, a playcube incorporating a slide, a mini birds nest tree and a climbing ramp facility. The children's play area will be finished with a wetpour rubber safety surfacing. The ball court surface will comprise either polymeric rubber surfacing for porous bitmac surfacing with line marking both of which are considered suitable. The BBQ/picnic area will be finished in blue granite paving or an equal alterative. Trees on the site will be removed to facilitate the redevelopment. The grassed area to the immediate south which incorporates a number of mature trees will be retained. The boundary fence will comprise a 3m high black paladin fence around the ball

	<p>court. The existing fence around the children’s play area and BBQ/Picnic area will be retained. The redevelopment of this site will bring about substantial community benefits to the area in the form of a secure, upgraded play area equipped with modern facilities and finished to a high standard which will benefit the local community.</p>
14.0	Consultations
14.1	DFI Roads was consulted in relation to the proposal. There are no changes proposed to the footpath or road. DFI have no objections to the proposal.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions:</p> <ol style="list-style-type: none"> The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. The MUGA playing surface and ball court shall not be used between 10pm and 7am. Reason: Protection of residential amenity. Prior to commencement of the development hereby approved, details of the capping material shall be submitted and agreed in writing by the Council and the capping material shall be installed and retained as agreed throughout the development as outlined in Drawings 03a and 06 and in line with recommendations set out in the RPS Generic Quantitative Risk Assessment Report (Reference: 1BR1007/April 2017). Reason: Protection of human health. <p>Informatives</p> <ol style="list-style-type: none"> This permission does not alter or extinguish or otherwise affect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands. This permission does not confer title. It is the responsibility of the developer to ensure that he controls all the lands necessary to carry out the proposed development. Any proposed raised beds shall be placed on hardstanding and filled with material suitable for end use i.e. public open space near residential housing. Reason: Protection of human health.
Notification to Department (if relevant)	
N/A	
Representations from Elected members:	
None	

ANNEX	
Date Valid	9th October 2018
Date First Advertised	2nd November 2018
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 15 Brittanick Park,Belfast,Antrim,BT12 5HG, The Owner/Occupier, 23a ,City Way,Belfast,Antrim,BT12 5BN, The Owner/Occupier, 23b ,City Way,Belfast,Antrim,BT12 5BN, The Owner/Occupier, 23c ,City Way,Belfast,Antrim,BT12 5BN, The Owner/Occupier, 7 Britannic Drive,Belfast,Antrim,BT12 5HT, The Owner/Occupier, 9 Britannic Terrace,Belfast,Antrim,BT12 5HS, The Owner/Occupier, Acer Uk (Ltd),Unit 10b1,Weavers Court Business Park,Linfield Road,Belfast,Antrim,BT12 5GH,	
Date of Last Neighbour Notification	24th October 2018
Date of EIA Determination	n/a
ES Requested	No
Summary of Consultee Responses DFI Roads – no objection Environmental Health – no objection	
Drawing Numbers and Title	
Drawing No. 01- Location Map Drawing No. 02- Existing site layout Drawing No. 03a- Proposed layout Drawing No. 04a- Proposed layout Drawing No. 05- Proposed Section through MUGA Drawing No. 06- Proposed drainage layout and detailing	