

Development Management Officer Report Committee Application

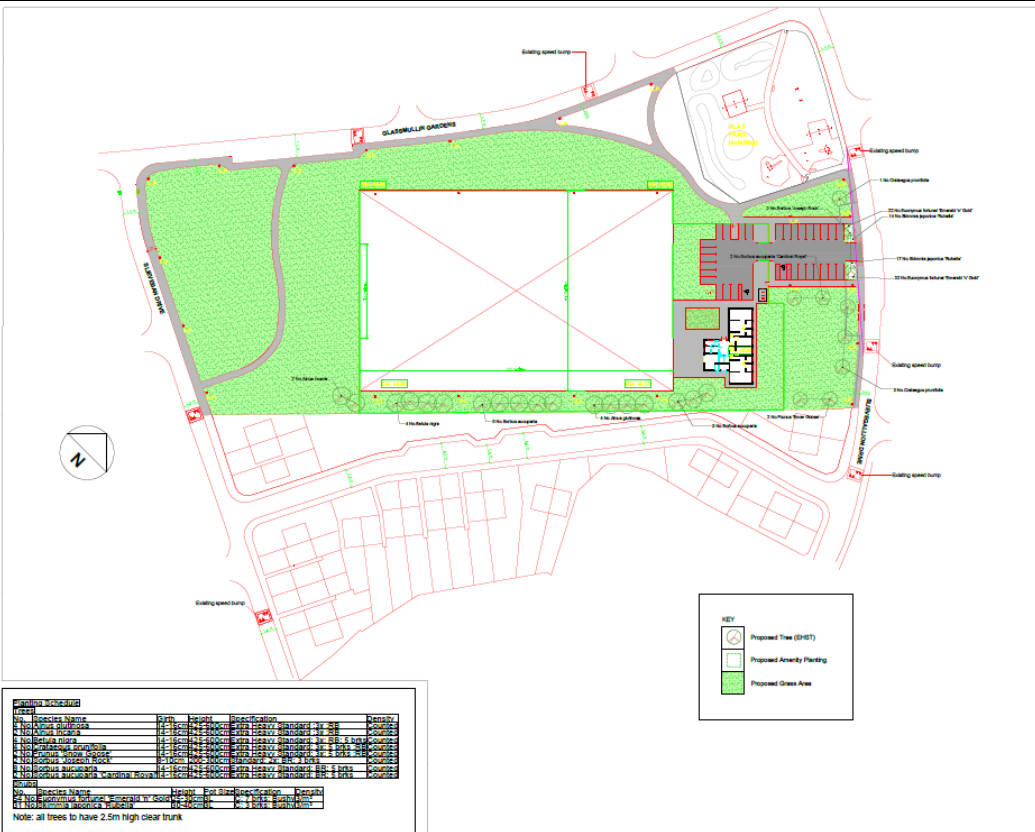
Summary	
Committee Meeting Date: 16 March 2021	
Application ID: LA04/2020/1864/F	
Proposal: Application under Section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission Z/2014/0077/F (erection of new pavilion, new 3G all-weather pitch with associated perimeter and spectator fencing, ball catch nets, floodlighting and improvements to pedestrian and vehicular access to include new access, footpath and car parking) to vary Condition 13 (seeking to vary the scheme of landscaping to be implemented)	Location: Glassmullin Gardens/Slieveban Drive, Belfast
Referral Route: Refers to previous Major application	
Recommendation: Approval	
Applicant Name and Address: De La Salle College 36 Edenmore Drive Belfast BT11 8LT	Agent Name and Address: Turley Hamilton House 3 Joy Street Belfast BT2 8LE
<p>Executive Summary:</p> <p>The application seeks to vary condition 13 of planning permission Z/2014/0077/F under Section 54 of the Planning Act (Northern Ireland) 2011. The original application grants planning permission for the Erection of new pavilion, new 3G all-weather pitch with associated perimeter and spectator fencing, ball catch nets, floodlighting and improvements to pedestrian and vehicular access to include new access, footpath and car parking. Z/2014/0077/F was granted permission on 25/06/2015. The development was commenced within the time limits and the variation of the condition can be assessed under Section 54 of the Act.</p> <p>The site is located within the development limits of Belfast within the Belfast Urban Area Plan and Draft Belfast Metropolitan Area Plan (2015). The site is within an existing area of open space now characterised by the development previously approved.</p> <p>The variation of condition 13 proposes to amend the landscaping plan previously approved. The proposal will result in a reduction in the amount of tree and shrub planting. The change is to address community concerns about impact of original planting scheme on the open character of the green and concerns around surveillance and anti-social activity.</p> <p>BCC Tree Officers, BCC Landscape Planning and Development team, and PSNI were consulted in relation to the amended proposal and responded with no objections to the proposed variation.</p> <p>Two objections and one letter of support were received.</p>	

On balance the proposed revisions are acceptable. It is recommended that the proposal is approved subject to the conditions set out in the report with delegated authority for the Director of Planning and Building Control to finalise the wording of conditions.

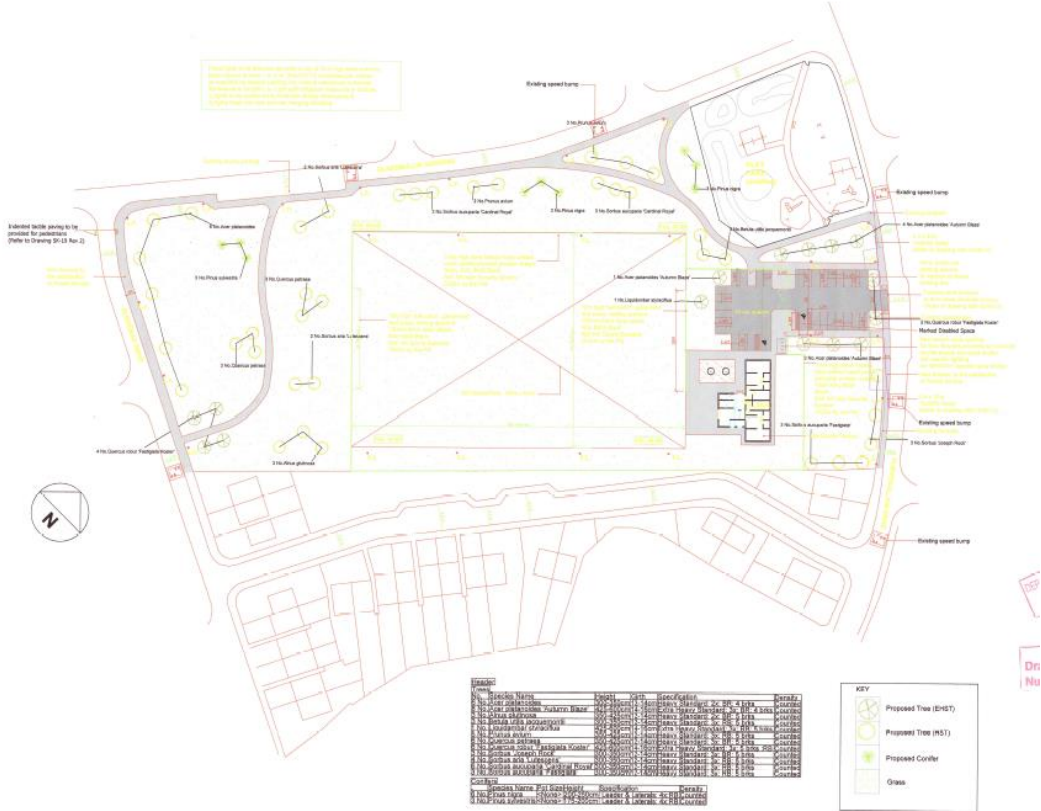
Case Officer Report

Site Location Plan





Proposed landscaping plan



Approved landscaping plan

Representations:	
Letters of Support	1
Letters of Objection	2
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0 Description of Proposed Development

This is an application under Section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission Z/2014/0077/F (erection of new pavilion, new 3G all-weather pitch with associated perimeter and spectator fencing, ball catch nets, floodlighting and improvements to pedestrian and vehicular access to include new access, footpath and car parking) to vary Condition 13 (seeking to vary the scheme of landscaping to be implemented).

2.0 Description of Site

The application site is approximately 1.9ha in size within a mainly residential area, with a number of commercial properties to the North of the site. Development is at an advanced stage of the previously approved application under Z/2014/0077/F. The site is located within the development limits of Belfast within the Belfast Urban Area Plan and Draft Belfast Metropolitan Area Plan (2015), and identified as an existing area of open space.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

3.1 There is relevant planning history on the site under application reference Z/2014/0077/F for "Erection of new pavilion, new 3G all-weather pitch with associated perimeter and spectator fencing, ball catch nets, floodlighting and improvements to pedestrian and vehicular access to include new access, footpath and car parking" which was approved permission on 22/06/15.

4.0 Policy Framework

4.1 (Draft) Belfast Metropolitan Area Plan (BMAP) 2015 and Belfast Urban Area Plan 2001 (BUAP)

4.2 Strategic Planning Policy Statement (SPPS)

4.3 Planning Policy Statement (PPS) 8: Open Space, Sport and Recreation

5.0 Statutory Consultees

5.1 None

6.0 Non Statutory Consultees

6.1 BCC Tree Officer – no objection

6.2 BCC Landscape Planning and Development team – no objection

6.3 PSNI – no objection

7.0 Representations

7.1 The application has been neighbour notified and advertised in the local press. Amendments have been received during the processing of the application in response to requests from consultees and Development Management team. Re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt. Two responses have been received objecting to the proposal, and one response in support.

7.2 Two objections were received raising the following issues (summarised):

- Impact of traffic and parking impacts on area

- Loss of open space
- Difficulty viewing plans online
- No working residents/school committee set up as yet and application should not be determined until this has taken place.

7.3 A letter of support was received from Alex Maskey MLA and Cllr Ronan McLaughlin. It outlined the following (summarised):

- Extensive engagement has taken place to ensure the successful delivery of a sports facility for the whole community
- The approved landscaping was strongly opposed by the community due to a desire to retain as much open space as possible
- Retention of open space will increase surveillance, reducing the potential for anti-social behaviour
- Proposed amendments represents a balanced solution for the whole community

7.3 These issues will be considered through the report, however a number of these are outside the remit of planning legislation and guidance, for example the setting up of a working residents/school group. Additionally, this application seeks only to vary Condition 13 of Z/2014/0077/F which relates solely to landscaping. Therefore issues such as road traffic and parking will not be revisited having been assessed already as part of the previous application.

8.0 Other Material Considerations

None

9.0 Assessment

9.1 Following the Court of Appeal decision relating to BMAP, the extant development plan is now The Belfast Urban Area Plan 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 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. Given the advanced stage at which Draft BMAP had reached it is considered to hold significant weight (save for policies around Sprucefield which remain contentious).

9.2 This application seeks to vary Condition 13 planning permission Z/2014/0077/F under Section 54 of the Planning Act (Northern Ireland) 2011 to allow for amendments to the approved landscaping. It is proposed to reduce the level of planting. The development permitted under Z/2014/0077/F was required by Section 61 of the Planning Act (Northern Ireland) 2011 to commence before 22nd June 2020. From a site visit it was evident that development had commenced and that the permission remains extant. Therefore this application can be assessed under Section 54 of the Planning Act (Northern Ireland) 2011.

9.3 Currently Condition 13 of Z/2014/0077/F refers to the approved drawing, date stamped 04/12/14. Therefore should approval be granted it shall be amended to read:

“The existing planting as indicated on Drawing No 0450 – 01E, received on 18/02/21, shall be permanently retained and the proposed planting, as indicated on the same stamped drawing, shall be undertaken during the first available planting season after the commencement of operation occupation of the development hereby approved.

Reason: In the interest of visual amenity”

9.4 The key issues in the assessment of the proposal are as follows:

- Visual impacts of the proposal

9.5 Visual impacts of the proposal

The initial submission was accompanied by a proposed landscaping plan indicating a significant reduction in planting, from that of the approved plan, to the areas north west and south west of the 3G pitch (adjacent to Glassmullin Gardens and Slieveban Drive). Following internal discussions and consultation with BCC Tree Officers and Landscape Planning and Development team, it was conveyed to the Planning Agent the proposal was not acceptable. The level of landscaping originally approved aided integration, and softened the visual aspect of the proposal.

9.7 Two objections were received following the application's initial submission, contents of which were previously outlined. As stated previously a number of issues raised are outside the remit of planning legislation and guidance however with respect to loss of open space this was assessed previously as part of Z/2014/0077/F. Policy OS1 of PPS8, Annex A defines 'open space' and a range of uses that are of public value and offer important opportunities for sport and outdoor recreation. The previous existing use of the site fell within A2 (iii) as amenity green space, a communal green space within housing. The approved use falls within A2 (ii) outdoor sports facilities which includes sports pitches or school playing fields of natural or artificial surface. It is considered that the proposed development will not result in a loss of existing open space but will fulfil a strategic function catering for recreational need in the area and promote health and wellbeing.

9.6 An amended plan was submitted on 18th February showing further additional planting to the south eastern boundary of the site. Both BCC Tree Officers and Landscape Planning and Development team were re-consulted, as well as notifying neighbours and objectors. The Landscape Planning and Development team advised that whilst they were disappointed that there was no tree planting to the south west of the sports pitch they felt the proposal was now acceptable. The response from the Tree Officer outlined suggested species of tree and locations where additional planting could be included but had no objection to the planting proposals.

9.7 As part of the assessment the PSNI were consulted in relation to the issue of surveillance. This was cited in the supporting statement for the application. The PSNI response indicated support for the amendments and queried whether there will be lowered kerbs as well as boundary details for parking. It was confirmed that there were no amendments to these details from those approved and this application is only considering landscaping details.

9.8 A representation of support for the proposal was received from Alex Maskey MLA and Cllr Ronan McLaughlin emphasising the benefits such a sports facility would bring to the entire community and the revised planting proposals would address community concerns. No further representations have been received to date and an email has been forwarded to follow up with the objector who originally had difficulty accessing the plans online.

9.9 On balance, the proposal would not result in detrimental visual impacts and will fulfil a strategic function catering for recreational need in the area and promote health and wellbeing.

9 Conclusion

9.1 The proposal to vary condition 13 to amend the landscaping scheme is considered to be on balance acceptable. There are no technical objections to the application. Having regard to the planning policy context, the variation of condition is considered acceptable.

9.2 The variation of condition will create a new standalone planning permission and it will be necessary to repeat the conditions on the original permission, subject to the variation granted by this decision.

10 Recommendation

10.1 Having regard to the policy context and other material considerations above including the planning history, the proposal is considered acceptable and approval of planning permission is recommended subject to conditions with delegated authority for the Director of Planning and Building Control to finalise the wording of conditions.

10.0 **Summary of Recommendation:** Approval with conditions

Neighbour Notification Checked: Yes

Summary of Recommendation: Approval subject to conditions

Conditions

1. The floodlighting shall be provided in accordance with design drawing referenced LS21438/1 of the submitted Aecom report (referenced Job No 600mgt14.07.04, Reference PI, date created 30 June 2014) which outlines the scheme design indicating vertical illumination levels in accordance with the specified guidance ILP (2011) Guidance for the Reduction of Obtrusive Light.

Reason: In the interests of residential amenity.

2. The floodlighting shall only operate between 8:30am - 9pm Monday to Friday and 10am - 6pm Saturday and Sunday.

Reason: In the interests of residential amenity.

3. The lighting installation shall not commence until it has been verified to the satisfaction of Belfast City Council that the lighting installation complies with the document "CIE 150:2003; Guide on the limitation of the effects of obtrusive lighting from outdoor lighting installation" by a Member of the Institution of Lighting Professionals, or equivalent competent exterior lighting Engineer.

Reason: In the interests of visual amenity, road safety and convenience of road users.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No SK19 Rev 3 bearing the DRD date stamp 05/12/14, prior to the commencement of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The development shall not become operational until hard surfaced areas have been provided for parking in accordance with the approved plan. Drawing No 03F date stamp received 03/12/14. These facilities shall be permanently retained.

Reason: To ensure acceptable parking facilities on the site.

6. The development shall not become operational until provision has been made for cycle parking in accordance with the approved plan, Drawing No 03F date stamp received 03/12/14. These facilities shall be permanently retained.

Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

7. The development shall not become operational until provision has been made to the satisfaction of Transport NI, for a footway in accordance with Drawing SKI 9 Rev 3 bearing the DRD date stamp 05/12/14.

Reason: To ensure acceptable pedestrian facilities around the site in the interests of road safety.

8. The access gradient shall not exceed 4% (1 in 25) over the first 10m outside the road boundary. Where the vehicular access crosses a footway or verge, 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 users.

9. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992. The Department of Regional Development hereby determines that the width, position and arrangement Of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No:SK19 # Rev 3 bearing the DRD date stamp 05/12/14.

Reason: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

10. Prior to first use all redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of Transport NI.

Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

11. If any retained tree is removed, uprooted or destroyed or dies within 3 years from the date of the occupation of the building for its permitted use, another tree or trees shall be planted at the same place and those trees shall be of such size and species and shall be planted at such time as may be specified by the Department.

Reason: To ensure the continuity of amenity afforded by existing trees.

12. The existing planting as indicated on Drawing No 0450 – 01E, received on 18/02/21, shall be permanently retained and the proposed planting, as indicated on the same stamped drawing, shall be undertaken during the first available planting season after the commencement of operation occupation of the development hereby approved.

Reason: In the interest of visual amenity

13. If within a period of 5 years from the date of the planting of any tree, shrub or hedge, that tree, shrub or hedge is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Department, seriously damaged or defective, another tree, shrub or hedge of the same species and size as that originally planted shall be planted at the same place, unless the Department gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

ANNEX	
Date Valid	15th September 2020
Date First Advertised	9th October 2020
Date Last Advertised	30th October 2020
Details of Neighbour Notification (all addresses) The Owner/Occupier, 1 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY The Owner/Occupier, 10 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 10 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY The Owner/Occupier, 11 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY The Owner/Occupier, 12 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 12 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY The Owner/Occupier, 14 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ 147 Connolly House, Andersonstown Road, Belfast, Andersonstown, Antrim, Northern 6, Glassmullin Gardens, Belfast, Antrim, Northern Ireland, BT11 8NJ The Owner/Occupier, 18 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 2 Killeen Park,Belfast,Antrim,BT11 8HH The Owner/Occupier, 2 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY The Owner/Occupier, 20a – 30d ,Glassmullin Gardens,Belfast,Antrim,BT11 8NJ 3 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY 32 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 34 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 35-37 Social Security Agency,Slieveban Drive,Andersonstown,Belfast,Antrim,BT11 8HL The Owner/Occupier, 36 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 4 Glassmullin Gardens,Belfast,Antrim,BT11 8NJ The Owner/Occupier, 4 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY The Owner/Occupier, 43 Cavanmore Gardens,Belfast,Antrim,BT11 8LZ	

The Owner/Occupier,
49 Slievegallion Drive,Andersonstown,Belfast,Antrim,BT11 8JP
The Owner/Occupier,
5 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY
The Owner/Occupier,
51 Slieveban Drive,Andersonstown,Belfast,Antrim,BT11 8JP
The Owner/Occupier,
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57-59 ,Slievegallion Drive,Andersonstown,Belfast,Antrim,BT11 8JP
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61 Slievegallion Drive,Andersonstown,Belfast,Antrim,BT11 8JP
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65 Slievegallion Drive,Andersonstown,Belfast,Antrim,BT11 8JP
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67 Slievegallion Drive,Andersonstown,Belfast,Antrim,BT11 8JP
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69 Slievegallion Drive,Andersonstown,Belfast,Antrim,BT11 8JP
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7 Slieveban Avenue,Andersonstown,Belfast,Antrim,BT11 8RY
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72 Slieveban Drive,Andersonstown,Belfast,Antrim,BT11 8HG
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74 Slieveban Drive,Andersonstown,Belfast,Antrim,BT11 8HG
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7a ,Glassmullin Gardens,Belfast,Antrim,BT11 8NJ
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80 Slieveban Drive, Andersonstown, Belfast, Antrim, BT11 8HG
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 89a ,Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
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 89c ,Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
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 89d ,Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
 The Owner/Occupier,
 9 Slieveban Avenue, Andersonstown, Belfast, Antrim, BT11 8RY
 The Owner/Occupier,
 91 Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
 The Owner/Occupier,
 Flat A, 49 Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
 The Owner/Occupier,
 Flat B, 49 Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
 The Owner/Occupier,
 Flat C, 49 Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
 The Owner/Occupier,
 Flat D, 49 Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP
 The Owner/Occupier,
 Flat E, 49 Slievegallion Drive, Andersonstown, Belfast, Antrim, BT11 8JP

Date of Last Neighbour Notification

24th February 2021

Planning History

Ref ID: LA04/2020/1864/F

Proposal: Application under Section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission Z/2015/0077/F (erection of new pavillion, new 3G all-weather pitch with associated perimeter and spectator fencing, ball catch nets, floodlighting and improvements to pedestrian and vehicular access to include new access, footpath and car parking) to vary Condition 13 (seeking to vary the scheme of landscaping to be implemented)

Address: Glassmullin Gardens/Slieveban Drive, Belfast, BT11,

Decision:

Decision Date:

Ref ID: Z/2011/0899/F

Proposal: Development of 25no general needs social housing dwellings with associated site access and infrastructure

Address: Land to the north of Slieveban Drive, Andersonstown, Belfast, BT11 8HF,

Decision:

Decision Date: 06.04.2012

Ref ID: Z/1994/2977

Proposal: Erection of 3M perimeter palisade fence
Address: ANDERSONSTOWN SOCIAL SECURITY OFFICE SLIEVEBAN DRIVE
ANDERSONSTOWN ROAD BELFAST BT11
Decision:
Decision Date: 02.03.1995

Ref ID: Z/1990/2649
Proposal: Replacement of mobile playgroup building
Address: ADJACENT TO 51-67 SLIEVEGALLION DRIVE, BELFAST BT11
Decision:
Decision Date:

Ref ID: Z/1990/2935
Proposal: Temporary accommodation for decanting purposes (6 No.
mobile homes + furniture stores)
Address: OPPOSITE NO.51 SLIEVEGALLION DRIVE BELFAST
Decision:
Decision Date:

Ref ID: Z/2014/0077/F
Proposal: Erection of new Pavillion, new 3G all-weather pitch with associated perimeter
and spectator fencing, ball catch nets, floodlighting and improvements to pedestrian and
vehicular access to include new access, footpath and car parking. (Amended plans and
additional information).
Address: Glassmullin Gardens/Slieveban Drive, Belfast, BT11,
Decision: PG
Decision Date: 26.06.2015

Notification to Department (if relevant)

Date of Notification to Department: N/A
Response of Department: N/A

