Development Management Report Committee Application

Summary			
Committee Meeting Date: 16 March 2021			
Application ID: LA04/2020/2230/F			
Proposal: Section 54 application to vary conditions attached to Z/2014/1768/F as follows: Condition 2 relating to provision of samples of external finishes from prior to commencement of development to prior to construction of any buildings. Condition 8 relating to provision of full landscaping details from prior to commencement of development to prior to the development becoming operational. Condition 14 and relating to provision of details for disposal of storm water and foul sewage from prior to commencement of development to prior to the development becoming occupied or operational and verified by the Local Planning Authority. Removal of condition 12 relating to requirement for provision of protective fencing around retained trees for the duration of the development.	Location: Newforge Country Club 18b Newforge Lane Belfast BT9 5NW		

Referral Route: Committee (variation to a major application)

Recommendation:	APPROVAL
Applicant Name and Address:	Agent Name and Address:
Newforge Country Club	Matrix Planning Consultancy
18b Newforge Lane Belfast	Saba Park
BT9 5NW	14 Balloo Avenue
	Bangor
	BT19 7QT

Executive Summary:

The proposal seeks to vary 3 conditions and remove 1 condition under Section 54 of the Planning Act to a previous approval for a new clubhouse & tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks & associated ground works. This permission, under reference Z/2014/1768/F was approved on 16th September 2016 and expires in September 2021.

The proposed site is located at an existing playing fields complex off Newforge lane in south Belfast. The site is approximately 6 hectares in size and comprises football and rugby pitches, a disused gravel hockey pitch along the northern site boundary, areas of hard surfacing/parking, and a two storey clubhouse building. The site is broadly level in terms of topography, however the land falls slightly towards the site boundaries and gradually the access towards Newforge lane. The site boundaries consisting of a mix of fencing types generally 2m in height.

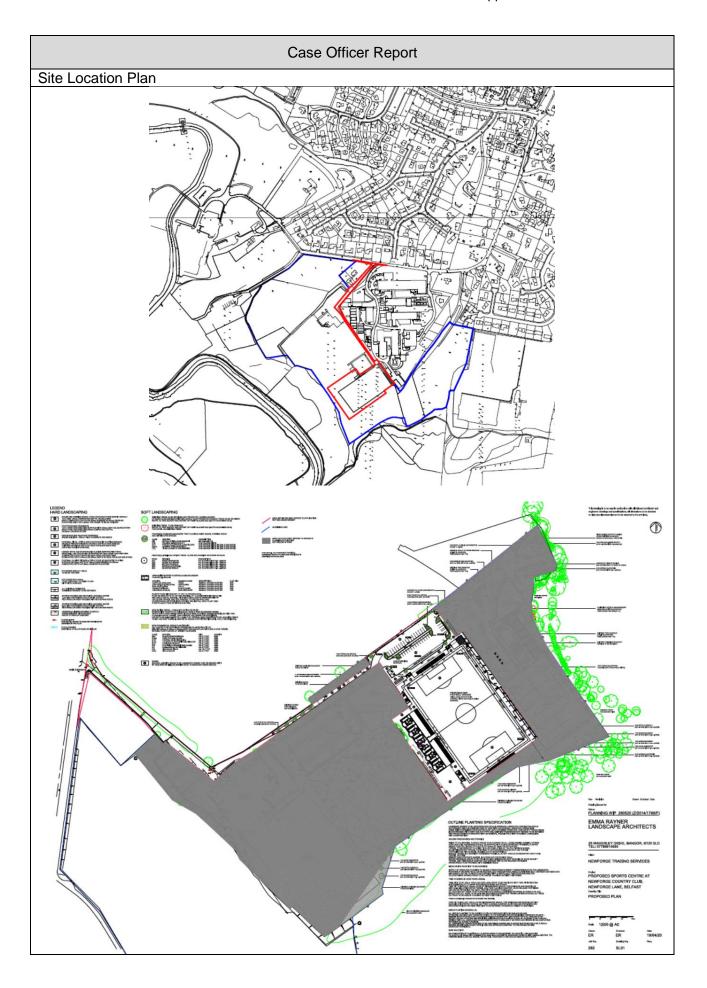
There are government buildings/uses to the west of the site, with Lagan Valley Park to the east. There is a mixture of housing types within the wider locality including Newforge Lane.

The consultees have confirmed that the proposal is acceptable subject to conditions and /or informatives. Rivers have also confirmed that the proposal will not result in or be subject to Flood Risk. NIW and BCC Landscape section have also no objections to the application.

No representations have been received from the public or other parties.

Following assessment the proposal is considered compliant with the development plan and other relevant policies also taking account of the history of the site. All other conditions remain unaltered as set out in the original decision notice.

Approval is recommended subject to conditions set out below. Delegated Authority to the Director of Planning and Building Control requested to finalise the wording of conditions.



Consultations:	ı			
Consultation Type	Consu	ltee	Response	
Statutory	NI Wat Applica	er - Strategic ations	No objections	
Statutory	Rivers	Agency	No objections	
Non statutory	BCC L	andscape Section	No objections	
Representations:				
Letters of Support		None Received		
Letters of Objection		None Received		
Number of Support Petition signatures	ns and	No Petitions Receive	ed	
Number of Petitions of Obj signatures	ection and	No Petitions Receive	ed	
Representations from Elec Representatives	ted	None received		

Plann	Planning Assessment of Policy and Other Material Considerations			
Chara	acteristics of the Site and Area			
1.0	Description of Proposed Development			
1.1	New clubhouse & tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks & associated ground works.			
2.0	Description of Site			
2.1	The proposed site is located at an existing playing fields complex off Newforge lane in south Belfast. The site is approximately 6 hectares in size and comprises football and rugby pitches, a disused gravel hockey pitch along the northern site boundary, areas of hard surfacing/parking, and a two storey clubhouse building. The site is broadly level in terms of topography, however the land falls slightly towards the site boundaries and gradually the access towards Newforge lane. The site boundaries consisting of a mix of fencing types generally 2m in height.			
2.2	There are government buildings/uses to the west of the site, with Lagan Valley Park to the east. There is a mixture of housing types within the wider locality including Newforge Lane.			
3.0	Planning History			
3.1	Z/2009/0305/F - Site redevelopment to create indoor training facility, bowling pavilion/changing accommodation & new floodlit synthetic hockey pitch. Approved 08.12.2009			
3.2	Z/2014/1768/F Proposal: New clubhouse & tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks & associated ground works Decision: Granted Decision Date: 27.09.2016			
3.3	LA04/2015/0266/F Proposal: Indoor training facility including changing and fitness facilities, flood lit synthetic hockey pitch and two 5-a-side football pitches, fencing, parking and landscaping. Decision: Granted Decision Date: 27.09.2016			
3.4	LA04/2020/2231/F Proposal: Section 54 application to vary conditions attached to LA04/2015/0266/F as follows: Condition 5 relating to provision of full landscaping details from prior to commencement of development to following the development becoming operational, and variation of condition 10 relating to provision of details for disposal of storm water and foul sewage from prior to commencement of development to following the development becoming occupied or operational Decision: TBA			

4.0	Policy Framework
	Belfast Urban Area Plan 2001;
	Draft Belfast Metropolitan Area Plan (BMAP);
	Belfast Metropolitan Area Plan (BMAP) (legal challenge);
	Strategic Planning Policy Statement (SPPS);
	Planning Policy Statement 2: Natural Heritage (PPS2);
	Planning Policy Statement 3 : Roads Considerations (PPS3);
	Planning Policy 8: Recreation and Open Space (PPS8);
	Planning Policy Statement 15: Planning and Flood Risk (PPS15)
5.0	Statutory Consultee Responses
	NI Water – No objection
	Rivers Agency – No objection
6.0	Non Statutory Responses
	BCC Landscape Section – no objection
7.0	Representations
7.1	None received
8.0	Other Material Considerations
	Regional Development Strategy (RDS)
9.0	Assessment
9.1	The SPPS sets out five core planning principles of the planning system, including
	improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making.
9.2	Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported. The SPPS states the majority of PPS's remain applicable under 'transitional arrangements', including PPS's 2, 3 and 8.
9.3	The Planning Act 2011 at section 45 states that the Council must have regard to the development plan. The site is located inside the boundary designated for the city in BMAP and is identified as falling within Lagan Valley Regional Park under designation.
9.4	Other than the designations discussed above, BMAP does not include any detailed polices relevant to the proposals.
9.5	In the intervening period since the previous permission was granted, BMAP has been subject to legal challenge and reverted to draft status, with BUAP becoming the extant plan for the site and wider Council Area. Policy considerations / issues however are of a similar nature to those under BMAP. In any event the site is now subject to an extant permission which is a significant material consideration.
9.6	In this regard the main considerations are therefore set out on PPS8 as discussed in the assessment of the extant permission. The site is already in use as a football ground and sports pitches. As the proposal comprises retention of the sports uses it is not considered that the proposal would result in the loss of open space and thus accords with OS1.

- 9.7 The proposal seeks variation and removal of several conditions to the extant permission reference Z/2014/1768/F approved 27.09.2016. This permission was subject to a 5 year time limit and therefore expires in 2021. The permission included 14 conditions, and the application seeks the variation of conditions 2, 8 and 14 and the removal of condition 12.
- 9.8 Condition 2 states the following:

No development shall take place until samples of all external finishes has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample details.

Reason: In the interests of visual amenity and the character and appearance of the area.

9.9 The application seeks variation of the wording of condition 2 to the following:

The buildings hereby permitted shall not be constructed until full details of all external finishes have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved sample details and stamped drawings.

- 9.10 Condition 2 as approved requires the submission and agreement of the Council of samples of materials prior to works commencing. Development works have commenced on site, however the details have not yet been approved and whilst technically in breach of this condition, case law advises that such pre-commencement conditions can be discharged within the time limit of the permission, i.e. 5 years of approval in this case. The purpose of the condition is to ensure appropriate materials are incorporated in the design of the buildings and in the interests of visual amenity. Whilst site works have commenced, the erection of the approved buildings has not and accordingly the aim of the condition could still be delivered via the suggested revised wording. This would not compromise amenity and accordingly the revision is considered acceptable.
- 9.11 Condition 8 relates to provision of full landscaping details and reads as follows:

No development including site clearance works, lopping, topping or felling of trees, shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Planning Authority.

The details shall include a detailed layout together with existing and proposed levels, cross sections, any means of enclosure, hard surface materials, minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc.), proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.

The details shall also include detailed planting plans with written planting specification including site preparation and planting methods and detailed plant schedules including the species, the size at time of planting, presentation, location, spacings and numbers.

A landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators overtime, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall be submitted to and approved by Belfast City Council Local Planning Authority. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and no changes implemented without the consent of Belfast City Council Local Planning Authority.

Reason: To ensure the provision of amenity afforded by an appropriate landscape design and to ensure the development integrates into the countryside.

9.12 The agent has suggested the variation of the condition to the following:

The development shall not become operational until full details of the hard and soft landscaping works have been submitted to and approved by the Local Planning Authority.

- 9.13 A landscaping plan and maintenance schedule and plan have also been submitted as part of the application. BCC landscape section have been consulted on these details and have no objections. The variation of the condition as suggested by the agent would have the effect that the requirements of the original condition, i.e. the landscaping and maintenance details would therefore require approval by the Council prior to the development becoming operational rather than prior to commencement of development. However as details have been provided and are deemed acceptable by BCC landscaping section, it is considered that the proposed revision is acceptable subject to further revised wording.
- 9.14 Condition 12 relates to the provision of tree protection measures during the construction phase and states the following:

No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 Trees in relation to Construction' 2005.

Protective fencing shall be at least 2.3 metres high, comprising of a scaffolding framework, verticals positioned no more than 3.0 metres apart driven into the ground approximately 0.6 metres, braced to resist impacts, supporting weldmesh panels, fixed in a manner to avoid easy removal as shown in BS 5837 2005, Figure 2.

Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

- 9.15 The applicant has requested removal of this condition. A tree survey and location plan of existing trees on the site has been provided in support of the current application. This confirms that there are no retained/exiting trees within the application site boundary that would be impacted by the development works. This information confirms that this condition is not necessary and removal is therefore acceptable.
- 9.16 Condition 14 states the following:

No development shall take place until detailed proposals for disposal of storm water and foul sewage have been submitted to, and approved in writing by Northern Ireland Water and Rivers Agency and verified by the Local Planning Authority. No part of the development hereby permitted shall be occupied or become operational until the approved arrangements are in place.

Reason: To ensure the provision of the necessary infrastructure to service the development.

9.17 The applicant is seeking variation of condition 14 to the following:

The development hereby permitted shall not become occupied or operational until detailed proposals for disposal of storm water and foul sewage have been submitted to, and approved in writing by Northern Ireland Water and Rivers Agency and verified by the Local Planning Authority that the approved arrangements are in place.

Reason: To ensure the provision of the necessary infrastructure to service the development.

- 9.18 The suggested variation would have the effect that the details listed would not be required until prior to occupation or operation of the development rather than prior to commencement and would therefore permit the applicant to undertake a range of site works including construction of the various approved structures.
- 9.19 The aim of the condition is to ensure that adequate drainage and sewage arrangements are provided for the development. This aim would still be satisfied albeit evidence of its installation provided at a later stage of the construction of the development. Accordingly the revised condition is considered acceptable.

Development works completed to date

- 9.20 The applicant has undertaken a range of works associated with the development on site. This includes installation of the parking arrangements and erection of boundary fencing around the football pitch. Works associated with another permission (LA04/2015/0266/F) around and adjacent to the site have also been undertaken, and it would appear that these potentially may impact on the ability of the applicant to deliver certain elements of the development in accordance with the approval. These matters may therefore require a revised approach and layout, however they would require a separate / further application in order to deliver revised facilities. This matter does not preclude the consideration of the current application and is a matter for the applicant to secure these details through submission and consideration of a further application. If members are minded to approve this Section 54 application it would include an informative highlighting that it relates only to the development that is capable of implementation under the original planning permission.
- 9.21 The various consultees listed above have confirmed that the proposal is acceptable subject to conditions and /or informatives. Rivers have also confirmed that the proposal will not result in or be subject to Flood Risk. NIW and BCC Landscape section have also no objections to the application.
- 9.22 No representations have been received from the public or other parties.
- 9.23 Following the above assessment the proposal is considered compliant with the development plan and other relevant policies also taking account of the history of the site.
- 9.24 Approval is recommended subject to conditions set out below.

10.0	Summary of Recommendation: Approval
10.1	The above matters are considered to be the main planning issues. The proposal is considered to comply with relevant planning policy and would constitute an acceptable development at this location.

Neighbour Notification Checked

Yes

Draft Conditions (delegated authority to Director of Planning & Building Control requested):

Amended conditions as follows:

1. The development hereby permitted shall be commenced prior to 27.09.2021.

Reason Time Limit.

2. The buildings hereby permitted shall not be constructed until full details of all external finishes have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved sample details and stamped drawings.

Reason: In the interests of amenity.

8. The development shall not become operational until a hard and soft landscaping scheme has been implemented in accordance with details, which shall have first been submitted to and approved by the Council.

The details shall include a landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators overtime, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall be submitted to and approved by Belfast City Council.

The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 with no changes implemented without the prior written consent of the Council.

Reason: In the interests of amenity and to ensure an acceptable form of landscaping provision for the development.

- 12. Condition 12 relating to tree protection measures removed.
- 14. No part of the development hereby permitted shall become occupied or operational until detailed proposals for disposal of storm water and foul sewage have been submitted to, and approved in writing by Northern Ireland Water and Rivers Agency and verified by the Council that the approved arrangements are in place. The approved arrangements shall be retained thereafter.

Reason: To ensure the provision of the necessary infrastructure to service the development.

Following Conditions as set out in previous decision notice to be repeated as follows:

3. All services (including those for water supply, drainage, heating, and gas supplies) shall be laid underground or housed internally within the buildings hereby approved.

Reason: In the interests of visual amenity.

4. The pitch and floodlighting hereby approved shall only be operational between the hours of 07.00hrs and 23.00hrs Monday to Friday, only between the hours 08.00 to 23.00 on a Saturday, and only between the hours 10.00 to 22.00 on a Sunday or public holiday.

REASON: In the interests of residential amenity.

5. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.02C bearing the date stamp 12th August 2016 to provide for parking within the site. The areas referred to are included within the red-line of the development, within the blue-line of the development, and outside the blue line of the development, as indicated on Drawing No.02C bearing the date stamp 12th August 2016. 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 adequate provision has been made for parking and traffic circulation within the site.

6. The development hereby permitted shall operate in accordance with the Traffic Management Strategy contained within the Traffic Statement document bearing Planning Authority date stamp 5th February 2016. No variations to the Traffic Management Strategy shall be implemented without the prior consent of the Local Planning Authority in writing.

REASON: In the interests of road safety and the convenience of road users.

7. The rating level of noise from plant and equipment should not exceed the typical background sound level (for both day time and night time hours) at the nearest noise sensitive receptor.

Reason: In the interests of amenity.

- 9. The plans and particulars submitted in accordance with Condition 8 above shall include:
 - a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the accurate crown spread of each retained tree;
 - b) details of the species, diameter (measured as in paragraph (a)), and the height, and an assessment of the general state of health and condition of each retained tree and of each tree adjoining the site boundary and to which paragraphs (c) and (d) apply;
 - c) details of any trees to be removed on the site or on land adjoining the site boundary;
 - d) details of any proposed arboricultural work or tree surgery of any retained tree, or of any tree on land adjacent to the site;
 - e) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, including service lines; within the root protection area of any retained tree and/or of any tree adjoining the site boundary;
 - f) details of the specification and position of fencing [and any other measure to be taken] for the protection of any retained tree from damage before or during the course of development;

g) full sections and details of all retaining structures including location, finishes, materials, existing and finished ground levels.

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

- 10. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Council. Any topping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted before the expiration of the next available planting season to the satisfaction in writing by the Council.
 - (c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Council, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Council.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

13. Prior to any part of the development hereby permitted becoming operational, an Artificial Light Verification Report shall be submitted to and agreed in writing with the Local Planning Authority. The report must demonstrate 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 and verify that the maximum vertical lux levels are within the guideline levels recommended in the 'Institute of Lighting Professionals Guidance on

Reduction of Obtrusive Lighting' when measured at the residential properties surrounding the pitch.

Reason: Protection of residential amenity.

	ANNEX	
Date Valid	9th July 2020	
Date First Advertised	20th November 2020	
Date Last Advertised		
Details of Neighbour Notification (all addresses)		

The Owner/Occupier, 18a ,Newforge Lane,Belfast,Antrim,BT9 5PX

The Owner/Occupier, 18b Newforge Country Club, Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 20 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 20d , Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 20e ,Newforge Lane,Belfast,Antrim,BT9 5NW

The Owner/Occupier, 41 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 43 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 45 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 47 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 49 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, 51 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, Clubhouse, 18b Newforge Country Club, Newforge

Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, Flat 1,45 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, Flat 2,45 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, Flat 3,45 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, Flat 4,45 Newforge Lane, Belfast, Antrim, BT9 5NW

The Owner/Occupier, Flat 5,45 Newforge Lane, Belfast, Antrim, BT9 5NW

Date of Last Neighbour Notification	12th November 2020
Date of EIA Determination	
ES Requested	No

Planning History

Ref ID: LA04/2020/2231/F

Proposal: Section 54 application to vary conditions attached to LA04/2015/0266/F as follows: Condition 5 relating to provision of full landscaping details from prior to commencement of development to following the development becoming operational, and variation of condition 10 relating to provision of details for disposal of storm water and foul sewage from prior to commencement of development to following the development becoming occupied or operational Address: 18b Newforge Lane, Belfast, BT9 5NW,

Decision:
Decision Date:

Ref ID: LA04/2020/0342/DC

Proposal: Discharge of Condition no.2 of Z/2014/1768/F (samples)

Address: 18b Newforge Lane, Belfast, BT9 5NW,

Decision:

Decision Date:

Ref ID: LA04/2020/0341/DC

Proposal: Discharge of Condition no.9 of Z/2014/1768/F (details of trees _ species, fencing)

Address: 18b New Forge Lane, Belfast, BT9 5NW,

Decision: RL Decision Date:

Ref ID: Z/2009/0305/F

Proposal: Site redevelopment to create indoor training facility, bowling pavilion/changing

accommodation & new floodlit synthetic hockey pitch.

Address: Newforge Country Club, 186 Newforge Lane, Belfast. BT9 5NW.

Decision: Granted

Decision Date: 08.12.2009

Ref ID: Z/2014/1768/F

Proposal: New clubhouse & tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks & associated ground works

Address: 18B Newforge Lane, Belfast, BT9 5NW,

Decision: Granted

Decision Date: 27.09.2016

Ref ID: Z/1984/0357

Proposal: ERECTION OF NEW SPORTS BUILDING Address: SPORTS GROUND, NEWFORGE LANE

Decision:
Decision Date:

Ref ID: Z/1975/0033

Proposal: EXTENSION TO PRESENT TEMPORARY BUILDING

Address: SPORTS GROUND, NEWFORGE LANE, BT9

Decision:
Decision Date:

Ref ID: Z/1984/2091

Proposal: ALTERATIONS AND ADDITIONS TO PREMISES

Address: SPORTS GROUNDS, NEW FORGE LANE

Decision:
Decision Date:

Ref ID: Z/1999/0265

Proposal: Extensions to existing building to provide additional

kitchen, seminar & indoor training facilities

Address: 18B NEWFORGE LANE BELFAST BT9

Decision:
Decision Date:

Ref ID: Z/2009/0437/F

Proposal: The erection of new mini grandstand, 2no. players dugouts and ground perimeter

1.1m high spectator barrier within the existing football grounds.

Address: Newforge Country Club, 18b Newforge Lane, Belfast, BT09 5NW.

Decision:

Decision Date: 18.05.2009

Ref ID: Z/1989/0396

Proposal: Construction of sports pavilion

Address: SPORTS GROUNDS NEW FORGE LANE BELFAST BT9

Decision:
Decision Date:

Ref ID: LA04/2015/0266/F

Proposal: Indoor training facility including changing and fitness facilities, flood lit synthetic

hockey pitch and two 5-a-side football pitches, fencing, parking and landscaping.

Address: Newforge Country Club, 18b Newforge Lane, Belfast,

Decision: Granted

Decision Date: 27.09.2016

Notification to Department (if relevant)

Date of Notification to Department:

Response of Department:

Development Management Officer Report Committee Application

Summary			
Committee Meeting Date: 16 August 2016		Item Number: 8j	
Application ID: Z/2014/1768/F			
Proposal: New clubhouse & tiered seating area, new 3G s to pitch to including floodlights, dugouts, fencing security tower, turnstiles, stands, toilet blocks & associated ground works	,	Location: 18B Newforge Lane Belfast BT9 5NW	
Referral Route: Major Application (Site Area > 1 hectare) Recommendation: Approval Subject to Conditions			
Applicant Name and Address: Royal Ulster Constabulary Athletic Association	McGu		

Executive Summary:

Full planning permission is sought for a new clubhouse & tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks & associated ground works.

The proposed site is located at an existing playing fields complex off Newforge Lane in south Belfast. The site is approximately 6 hectares in size and comprises football and rugby pitches, a disused gravel hockey pitch along the northern site boundary, areas of hard surfacing/parking, and a two storey clubhouse building.

Issues for consideration are as follows:

- Siting, design and impacts of new building;
- Impact of 3G/astroturf pitches and associated fencing;
- Impacts of floodlighting;
- Impact of traffic, parking and infrastructure.

6 representations have been received raising concerns including impact of traffic, safety, and intensification of the facilities.

The principle of the overall development is considered to be acceptable.

Taking account of the positive response from Environmental Health in addition to the separation distances to nearby properties it is not considered that an unacceptable impact on amenity will occur.

The proposed scale, form, massing, design and materials of the proposed buildings are considered acceptable and will not adversely impact on local character.

The visual impact of the floodlights and fencing will not be significantly adverse due to the boundary vegetation and are sufficient distance from nearby properties that limited amenity impact is likely.

Transport NI has been consulted and has no concerns regarding, traffic, parking provision, or road safety issues.

Following the above assessment it is considered that the proposal will not adversely impact on the landscape setting or the Lagan Valley Regional Park and is compliant with relevant policies.

Recommendation

It is considered that the proposal will not adversely impact on the landscape setting or the Lagan Valley Regional Park and is compliant with relevant planning policies. The proposal is recommended for approval with conditions and informative as set out below. Delegation of final conditions to Director of Planning & Place is requested.



	Case Officer Report			
Chara	acteristics of the Site and Area			
1.0	Description of Proposed Development			
1.1	Full planning permission is sought for a new clubhouse with tiered seating area, new 3G surface to pitch to including floodlights, dugouts, fencing, security tower, turnstiles, stands, toilet blocks & associated ground works.			
2.0	Description of Site			
2.1	The proposed site is located at an existing playing fields complex off Newforge Lane in south Belfast. The site is approximately 6 hectares in size and comprises football and rugby pitches, a disused gravel hockey pitch along the northern site boundary, areas of hard surfacing/parking, and a two storey clubhouse building. The site is broadly level in terms of topography, however the land falls slightly towards the site boundaries and gradually the access towards Newforge Lane. The site boundaries consisting of a mix of fencing types generally 2m in height.			
2.2	There are government buildings/uses to the west of the site, with Lagan Valley Park to the east. There is a mixture of housing types within the wider locality including Newforge Lane.			
3.0	Planning History			
3.1	Z/2009/0305/F - Site redevelopment to create indoor training facility, bowling pavilion/changing accommodation & new floodlit synthetic hockey pitch. Approved 08.12.2009			
4.0	Policy Framework			
	Belfast Metropolitan Area Plan (BMAP); Strategic Planning Policy Statement (SPPS); Planning Policy Statement 2: Natural Heritage (PPS2); Planning Policy Statement 3: Roads Considerations (PPS3); Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation (PPS8); Planning Policy Statement 15: Planning and Flood Risk (PPS15)			
5.0	Statutory Consultee Responses			
	Transport NI – No objection NIEA: Natural Environment Division – No objection NI Water – No objection Rivers Agency – No objection			
6.0	Non Statutory Responses			
	Environmental Health BCC – No objection Lagan Valley Regional Park – proposal may compromise the LVRP.			
7.0	Representations			
7.1	The application was advertised in the local press and neighbours notified. 6 representations received raising the following issues:			

Impact of traffic/increased volume; Intensify use of facilities Site not suitable for large events; Safety issues of pedestrian users of Newforge Lane; 8.0 **Other Material Considerations** Regional Development Strategy (RDS) Development Control Advice Note 15 – Vehicular Access Standards 9.0 **Assessment** 9.1 The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. 9.2 Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 states that sustainable economic growth will be supported. The SPPS states the majority of PPS's remain applicable under 'transitional arrangements', including PPS's 2. 3 and 8. 9.3 The Planning Act 2011 at Section 45 states that the Council must have regard to the development plan. The site is located inside the boundary designated for the city in BMAP and is also identified as within Lagan Valley Regional Park designation. 9.4 Other than the designations discussed above, BMAP does not include any detailed polices relevant to the proposals. In this regard the main considerations are therefore set out on PPS8. Policy OS1 refers to the protection of open space, Policy OS4 relates to intensive sports facilities (which include stadia) and Policy OS7 relates to floodlighting. 9.5 The proposal comprises a number of elements and associated issues for consideration which are as follows: Siting, design and impacts of new building: Impact of 3G/astroturf pitches and associated fencing; Impacts of floodlighting; Impact of traffic, parking and infrastructure. 9.6 The existing site is already in use as a football ground and sports pitches. As the proposal comprises retention of the sports uses it is not considered that the proposal would result in the loss of open space and thus accords with Policy OS1. 9.7 OS4 lists five criteria which proposals must meet: there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated; 9.8 There are significant separation distances between the proposals and the nearest residential properties in Newforge Lane (approx 280m from the nearest point of pitch to boundary of nearest residential property in Newforge Lane opposite site entrance). In addition there is a Government facility between the site and the Newforge Lane. The frequency of matches of the football stadia will not increase above existing levels, as the number of matches is determined by the football authorities. With the associated floodlighting it is anticipated the new pitch facilities would be more intensively used in evenings for training activities compared to the existing natural turf pitches. However taking account of the positive response from Environmental Health in addition to the separation distances to nearby properties it is not considered that an unacceptable impact on amenity will occur.

- 9.9 b. there is no adverse impact on features of importance to nature conservation, archaeology or built heritage;
- 9.10 There are no natural heritage assets on the site in this case however the site abuts mature woodland/habitats and the Lagan Valley Regional Park. Natural Environment Division has no objections to the proposal in terms of impact on flora and fauna.
- 9.11 There are no archaeological or built heritage features on the site and Historic Environment Division has no objections in this regard.
- 9.12 Rivers Agency has no objection in terms of flood risk or hydrological impacts on the River Lagan and associated drainage issues following assessment of a drainage assessment and conceptual attenuation details. A condition for submission and delivery of appropriate details is necessary.
- 9.13 c. buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment;
- 9.14 The proposal includes a clubhouse/stand building (two storeys) in addition to smaller stands (single storey), toilet blocks (single storey) and a control tower (two storeys) around the main football pitch. The clubhouse building is the largest of the proposed buildings, is two storeys in height with monopitch roof (7.1m at highest point), and approximately 59m in width and 18.8m depth.
- 9.15 The clubhouse and control tower buildings are 2 storeys in height and sited as such that public views will be restricted. The mature trees around the site boundaries will screen public views of the clubhouse and other structures. The other buildings are single storey and will also largely be screened from public views. The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. There will be limited public views of the proposed fencing and associated structures; the design of these structures will also result in limited visual impacts.
- d. the proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport;

The proposal comprises works to an existing facility and is located close to public transport routes. The scope of works will improve access for people with disabilities.

e. the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access, car parking, drainage and waste disposal.

9.17

9.18	Transport NI has been consulted and has no concerns regarding, traffic, parking provision, or road safety issues. They have highlighted the proposal would result in an under provision of parking areas, however this would be offset by parking requirements for another proposal within the Newforge Complex for a training facility, hockey pitch and 5-a-side pitches ref: LA04/2015/0266/F which is also under consideration. Given this response the proposal is considered compliant with this criterion and also the relevant provisions in PPS3. Objections have been received expressing concerns regarding traffic impacts of the proposal. However the opinion of Transport NI is considered determining.
9.19	Policy OS7 relates to floodlighting and requires proposals to not adversely impact residential and visual amenity or road safety.
	4 floodlights 18.3m in height are proposed around the football pitch. The floodlights will not be readily visible from public viewpoints largely due to the site boundary vegetation and neighbouring buildings. On balance the visual impact of the floodlights will not therefore be significantly adverse or compromise the character of the Lagan Valley Park.
9.20	The various consultees listed above have confirmed that the proposal is acceptable subject to conditions and /or informatives. NIEA and Rivers Agency are satisfied that the proposal will not adversely impact on flora and fauna, or other aspect of the aquatic environment. Rivers have also confirmed that the proposal will not result in or be subject to Flood Risk and accordingly the proposal is considered compliant with PPS15.
9.21	The representations received have been fully considered however following the above assessment the proposal is considered compliant with the development plan and other relevant policies also taking account of the history of the site.
	Approval is recommended subject to conditions set out below.
10.0	Summary of Recommendation: Approval
10.1	The above matters are considered to be the main planning issues. The proposal is considered to comply with relevant planning policy and would constitute an acceptable development at this location.

Conditions/Reasons for Refusal:

Delegation of final conditions to Director of Planning and Place requested:

1. No development shall take place until samples of all external finishes has been submitted to and been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved sample details.

Reason: In the interests of visual amenity and the character and appearance of the area.

2. All services (including those for water supply, drainage, heating, and gas supplies) shall be laid underground or housed internally within the buildings hereby approved.

Reason: In the interests of visual amenity.

3. The pitch and floodlighting hereby approved shall only be operational between the hours of 07.00hrs and 22.00hrs Monday to Friday, only between the hours 08.00

to 22.00 on a Saturday, and only between the hours 10.00 to 22.00 on a Sunday or public holiday.

REASON: In the interests of residential amenity.

4. The development hereby permitted shall not become operational until hard surfaced areas have been constructed and permanently marked in accordance with Drawing No.02B bearing the date stamp 5th February 2016 to provide for parking within the site. The areas referred to are included within the red-line of the development, within the blue-line of the development, and outside the blue line of the development, as indicated on Drawing No.02B bearing the date stamp 5th February 2016. 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 adequate provision has been made for parking and traffic circulation within the site.

5. The development hereby permitted shall operate in accordance with the Traffic Management Strategy contained within the Traffic Statement document bearing Planning Authority date stamp 5th February 2016. No variations to the Traffic Management Strategy shall be implemented without the prior consent of the Local Planning Authority in writing.

REASON: In the interests of road safety and the convenience of road users.

6. The rating level of noise from plant and equipment should not exceed the typical background sound level (for both day time and night time hours) at the nearest noise sensitive receptor.

Reason: In the interests of amenity.

7. No development shall take place until a strategy of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved strategy to the satisfaction of the Local Planning Authority in writing prior to the use of any part of the development hereby permitted commencing.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.

8. No development including site clearance works, lopping, topping or felling of trees, shall take place until full details of both the hard and soft landscape works have been submitted to and approved in writing by the Planning Authority at the Reserved Matters stage.

The details shall include a detailed layout together with existing and proposed levels, cross sections, any means of enclosure, hard surface materials, minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc), proposed and existing functional services above and

below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc.

The details shall also include detailed planting plans with written planting specification including site preparation and planting methods and detailed plant schedules including the species, the size at time of planting, presentation, location, spacings and numbers.

A landscape management plan covering a minimum of 20 years including long term design objectives, performance indicators over time, management responsibilities and establishment maintenance and maintenance schedules for all landscaped areas, shall be submitted to and approved by Belfast City Council Local Planning Authority. The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and no changes implemented without the consent of Belfast City Council Local Planning Authority.

Reason: To ensure the provision of amenity afforded by an appropriate landscape design and to ensure the development integrates into the countryside.

- 9. The plans and particulars submitted in accordance with Condition 8 above shall include:
 - a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the accurate crown spread of each retained tree;
 - b) details of the species, diameter (measured as in paragraph (a)), and the height, and an assessment of the general state of health and condition of each retained tree and of each tree adjoining the site boundary and to which paragraphs (c) and (d) apply;
 - c) details of any trees to be removed on the site or on land adjoining the site boundary;
 - d) details of any proposed arboricultural work or tree surgery of any retained tree, or of any tree on land adjacent to the site;
 - e) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, including service lines; within the root protection area of any retained tree and/or of any tree adjoining the site boundary;
 - f) details of the specification and position of fencing [and any other measure to be taken] for the protection of any retained tree from damage before or during the course of development;
 - g) full sections and details of all retaining structures including location, finishes, materials, existing and finished ground levels.

REASON: To ensure the continuity of amenity afforded by existing trees

- 10. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
 - (c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 11. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.
- REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.
- 12. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 'Trees in relation to Construction' 2005.

Protective fencing shall be at least 2.3 metres high, comprising of a scaffolding framework, verticals positioned no more than 3.0 metres apart driven into the ground approximately 0.6 metres, braced to resist impacts, supporting weldmesh panels, fixed in a manner to avoid easy removal as shown in BS 5837 2005, Figure 2.

Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

13. Prior to any part of the development hereby permitted becoming operational, an Artificial Light Verification Report shall be submitted to and agreed in writing with the Local Planning Authority. The report must demonstrate 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 and verify that the maximum vertical lux levels are within the guideline levels recommended in the 'Institute of Lighting Professionals Guidance on Reduction of Obtrusive Lighting' when measured at the residential properties surrounding the pitch.

Reason: Protection of residential amenity.

ANNEX		
Date Valid	23rd December 2014	
Date First Advertised	16th January 2015	
Date Last Advertised	16 th January 2015	

Details of Neighbour Notification (all addresses)

E Loughrey MRTPI and IPI, Inaltus Town Planning

109 Galwally Avenue Breda Belfast

David Taylor

16 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NU,

The Owner/Occupier,

16A Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

18 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NU,

D Moloney LL.D., N.P Donnelly and Wall Solcs

19-27 Church Street Town Parks

The Owner/Occupier,

20 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

20A Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

Ian Hamilton

3 Newforge Dale Malone Upper Belfast

Frank Cassidy

397 Lisburn Road Malone Lower Malone Lower

The Owner/Occupier,

4,20D Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

43 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

45 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier.

47 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

49 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

51 Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5NW,

The Owner/Occupier,

Newforge Lane, Malone Upper, Belfast, Antrim, BT9 5PX,

Carol Laird

River View Newforge Lane Malone Upper

Date of Last Neighbour Notification	02.09.2015
Date of EIA Determination	19.01.2015
ES Requested	No

Drawing Numbers and Title

01, 02b, 04, 05, 06, 07, 09, 09, 10, 11, 12, 13, 14, 15a, 16a, 17a, 18, 19, 20, 21,

Notification to Department (if relevant) - N/A