

Committee Report

Development Management Report	
Application ID: LA04/2021/0169/F	Date of Committee: Tuesday 14 th September
Proposal: Application to upgrade to existing park entrances and path lighting (Section 3a ForthMeadow Community Greenway) foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture.	Location: Site bounded by Whiterock Road Whiterock Leisure Centre and by property boundaries at Ardmonagh Gardens, Whiterock Grove & Bleach Green Terrace.
Referral Route: Referral to the Planning Committee under Section 3.8.5 (c) – BCC is the applicant	
Recommendation: Approval	
Applicant Name and Address: Belfast City Council Property and Projects Department 3rd Floor 9-12 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: McAdam Design 1c Montgomery House Castlereagh Business Park 478 Castlereagh Road Belfast BT5 6BQ
Executive Summary: The proposal is an environmental improvement scheme at two locations on the Whiterock Road and Ardmonagh Gardens. The works include foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture. The key issues to be considered are: <ul style="list-style-type: none"> • Principle of development • Design of the proposal The site is designated as lands reserved for landscape, amenity or recreation use in the BUAP and as existing open space within both versions of dBMAP and an urban landscape wedge (BT 99). The proposals will complement and improve the area and comply with the relevant policy and area designations. NIEA have offered no objection to the proposal. Environmental Health have requested additional contamination information which can be adequately addressed via condition. Whilst there is an outstanding consultation response from DFI Roads, an amended plan has been submitted to address this and no objection is expected from DFI Roads. 1 representation received, summarised as: <ul style="list-style-type: none"> • Concern with criminal activity with removal of gate. This is addressed in the main body of the report. Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved. Recommendation – Approval subject to conditions It is recommended that planning permission is granted with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions subject to no objection from DFI Roads.	

Case Officer Report

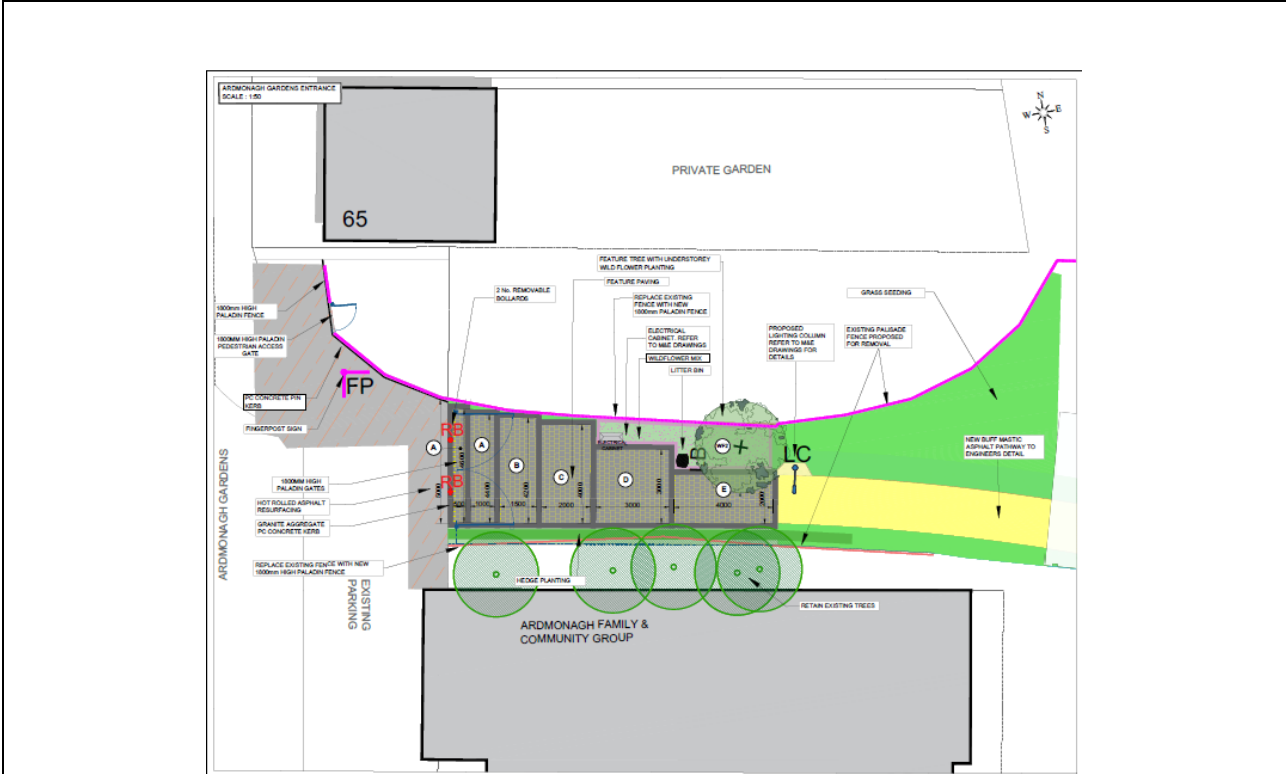
Site Location Plan



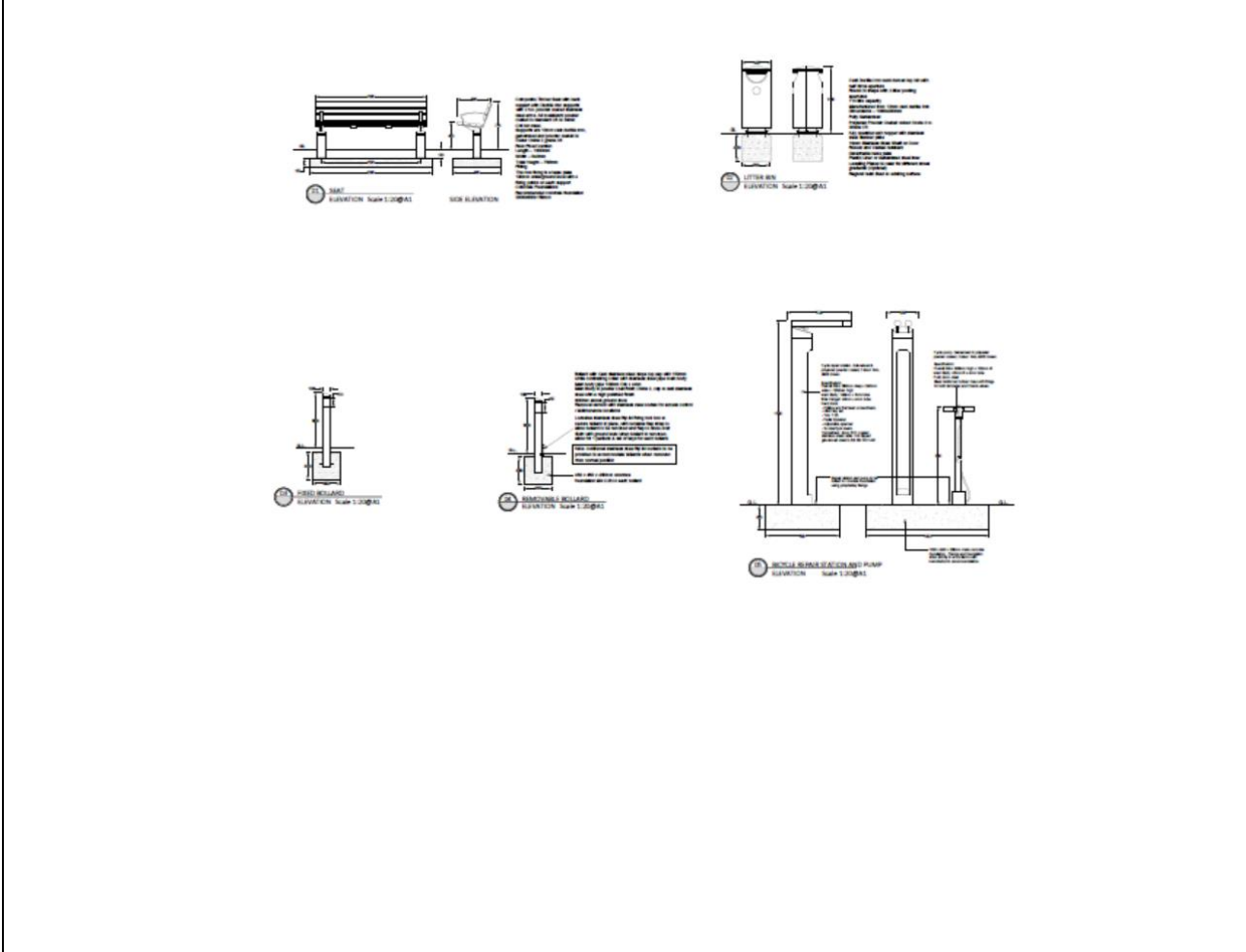
Block Plan- Whiterock Road

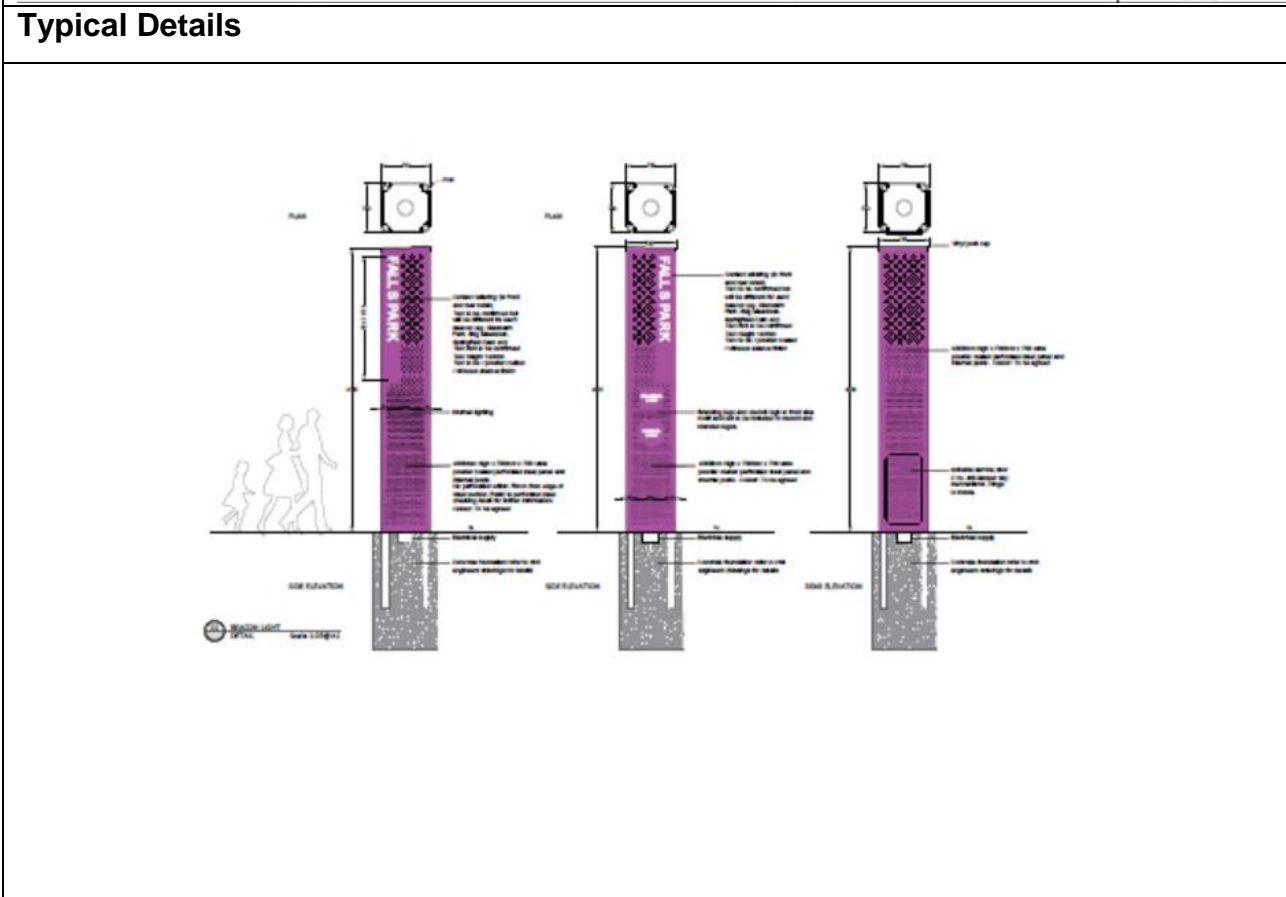
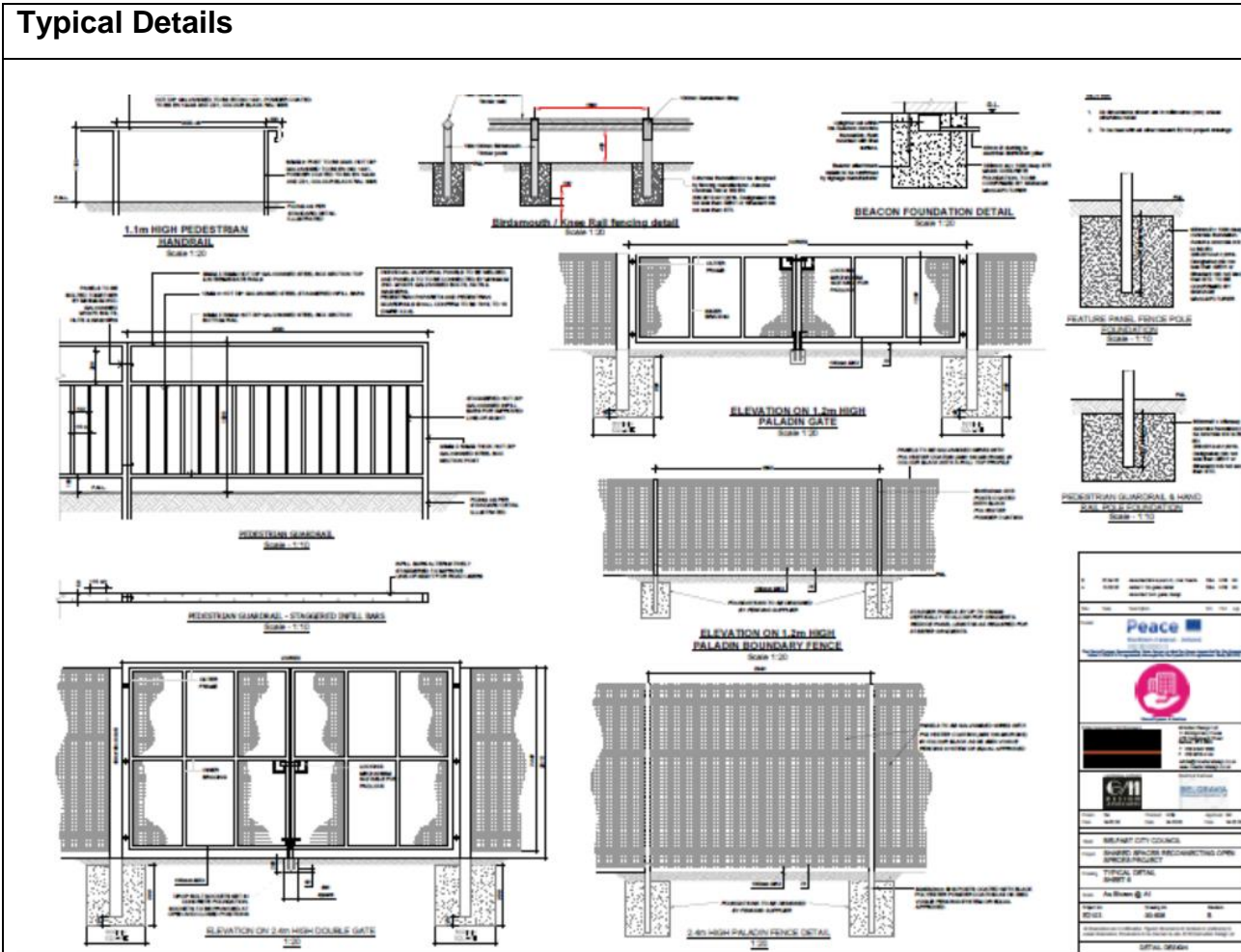


Block Plan-Ardmannagh Gardens



Typical Details	





Characteristics of the Site and Area	
1.0	Description of Proposed Development Application to upgrade to existing park entrances and path lighting, foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture. (Section 3a ForthMeadow Community Greenway)
2.0	Description of Site The application includes two sites within the same area at which improvements are to take place. The two sites are located as below: <ul style="list-style-type: none"> • Footpath on Whiterock Road opposite Glenalina Road, footpath provides access to children's playground and Whiterock Leisure Centre • Footpath on Ardmonagh Gardens, provides access to Whiterock Leisure Centre. <p>The footpath to which the improvements are proposed provides access to Whiterock Leisure Centre and to the Falls Road. Residential areas are to the north and east of the proposed entrances and further to the south is a cemetery. The site is designated as lands reserved for landscape, amenity or recreation use in the BUAP and as existing open space within both versions of dBMAP and an urban landscape wedge (BT 99).</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History None of relevance to this scheme.
4.0	Policy Framework
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2004, 2015 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 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.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Planning Policy Statement 2: Natural Heritage
4.5	Planning Policy Statement 3: Access, movement and parking
4.6	Planning Policy Statement 8: Open space, sport and outdoor recreation
5.0	Statutory Consultees Responses DFI Roads- Minor amendment requested NIEA- No objections
6.0	Non-Statutory Consultees Responses Environmental Health- Requested more information
7.0	Representations
	The application was neighbour notified on the 24 th February 2021 and advertised in the local press most recently on the 24 th February 2021. One representation was received with concerns as to criminal activity with the proposed removal of the existing gates.
8.0	Other Material Considerations None

8.1	Any other supplementary guidance None
9.0	Assessment
9.1	The proposal is considered to be in compliance with the development plan.
9.2	<p>Assessment</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development • Design of the proposal <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.</p> <p>Principle of development</p> <p>The proposal involves an upgrade to existing park entrances and path lighting, foot and cycle pathways, lighting columns, enhanced entrance layouts and proposed street furniture. The proposal complies with policy OS 1 of PPS 8 as there will be no loss open space. It is considered that the proposals will improve and complement the open space designation. The area is designated as an urban landscape wedge and the proposals will enhance this designation with high quality design.</p> <p>Supporting contamination reports have been provided. Environmental Health have requested further clarification through a site specific contaminated land assessment, however given the minor nature of the works with the soft landscaping works outside the remit of planning control, it is considered that this matter can be appropriately dealt with via condition.</p> <p>DFI Roads requested a note be removed from a drawing, this has been submitted and DFI Roads have been re-consulted, while no formal response has been received yet, no objections are expected.</p> <p>Design</p> <p>The proposal will improve the overall appearance of the area. The design complies with the SPPS which outlines the benefit of such improvements to urban neighbourhoods in paragraphs 4.23-4.36.</p> <p>Ecology</p> <p>A Preliminary Ecological Assessment has been carried out. This has been reviewed by the Natural Environment Division who have no objection to the proposal. Therefore, it is not considered that that the proposal would result in an unacceptable impact upon priority habitats/ species and other natural heritage features in accordance with PPS2 and the SPPS.</p> <p>Objections</p> <p>One objection was received with concerns that the removal of the existing gates would lead to an increase in criminal activity. Planning permission is not required to remove the gates and any criminal activity should be reported to the police. It remains that the proposals will improve the entrance from Ardmonagh Gardens in accordance with planning policy.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
10.0	Summary of Recommendation: Approval

11.0	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <ol style="list-style-type: none"> 2. If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Planning Authority in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use. <p>Reason: Protection of environmental receptors and human health.</p> <p>Informatives</p> <ol style="list-style-type: none"> 1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 16/02/2021, drawing no. 01, 06, 07, 08, 09, 10, 11, 12, 13, on 24/08/2021, drawing no. 04A. and on 02/09/2021, drawing no. 05.
Notification to Department (if relevant) – N/A	
Representations from Elected members - None	