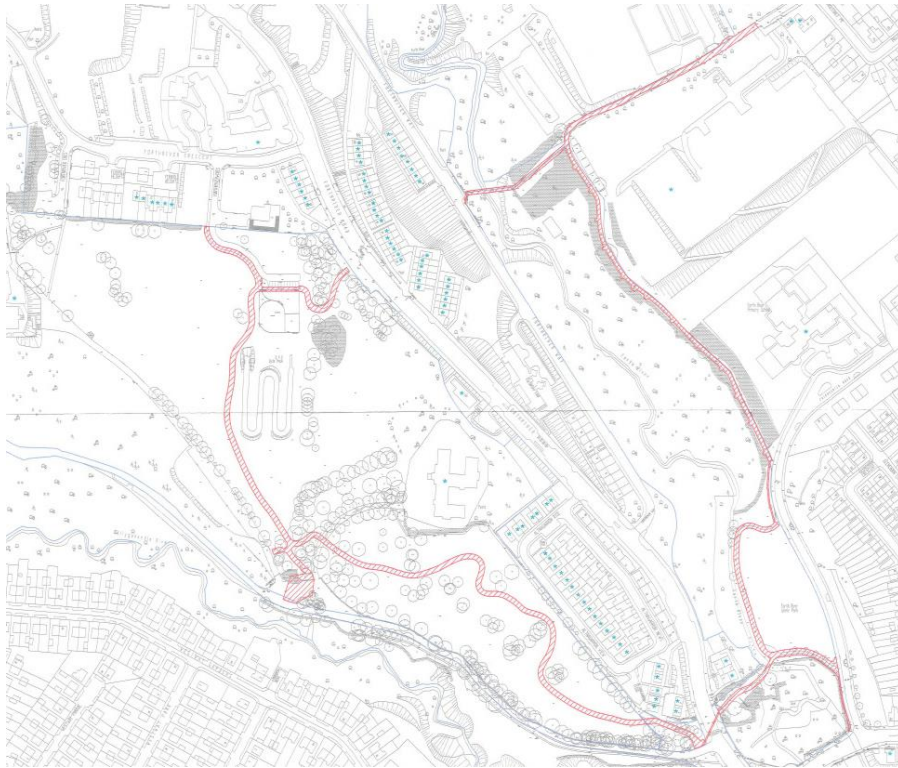


Committee Report

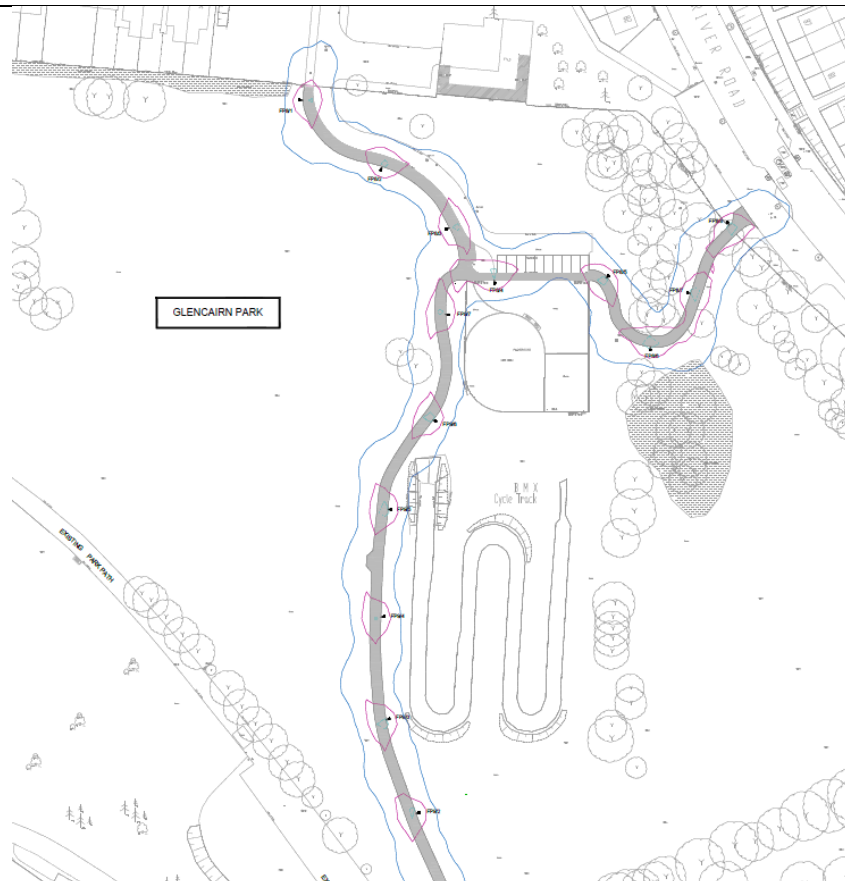
Development Management Report	
Application ID: LA04/2019/2938/F	Date of Committee: Thursday 21st October
Proposal: Lighting, including street lighting, as well as associated electrical control pillars.	Location: Lands within the Glencairn park adjacent to Forthriver Road & Glencairn Road as well as lands in the Forthriver Linear Park adjacent to the Forthriver Road and Cairnmartin Road and extending along existing pathway to both the Forthriver way adjacent to Clarendon park and up until the existing pedestrian and vehicle gates at Somerdale Park.
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
<p>Executive Summary: The proposal is an environmental improvement scheme within Glencairn park adjacent to Forthriver Road and Glencairn Road, as well as lands in the Forthriver Linear Park adjacent to Forthriver Road and Cairnmartin Road. The works include Lighting, including street lighting as well as associated electrical control pillars</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> • Principle of development • Design of the proposal • Impact on amenity <p>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. The proposals will complement and improve the area and comply with the relevant policy and area designations.</p> <p>Following the submission of a bat survey being NIEA have offered no objection to the proposal subject to conditions. Environmental Health are content with the proposal. DFI Roads were consulted and following amendments being submitted are content with the proposal</p> <p>No letters of representation have been received for the application</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p>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.</p>	

Case Officer Report

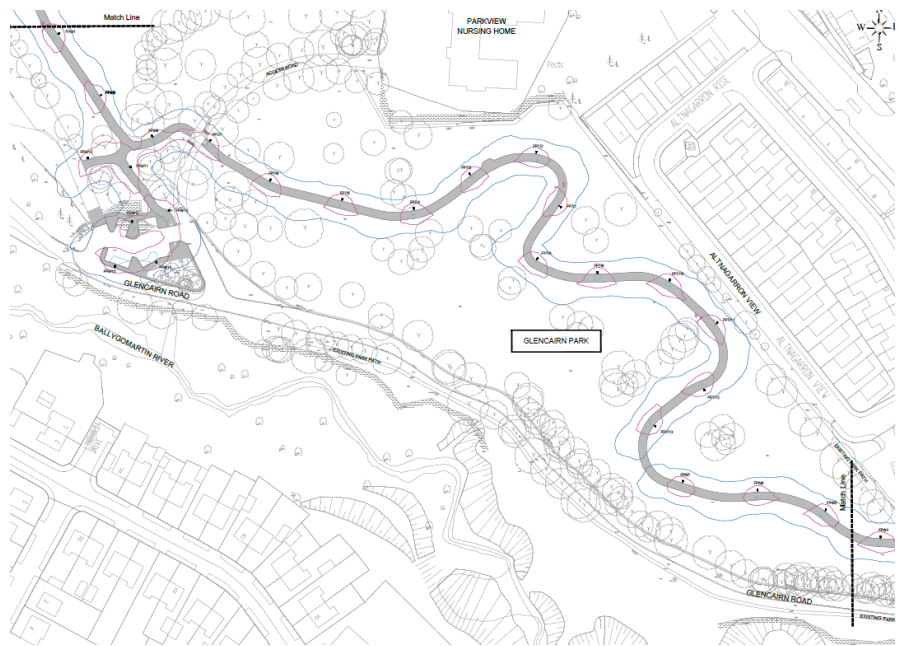
Site Location Plan



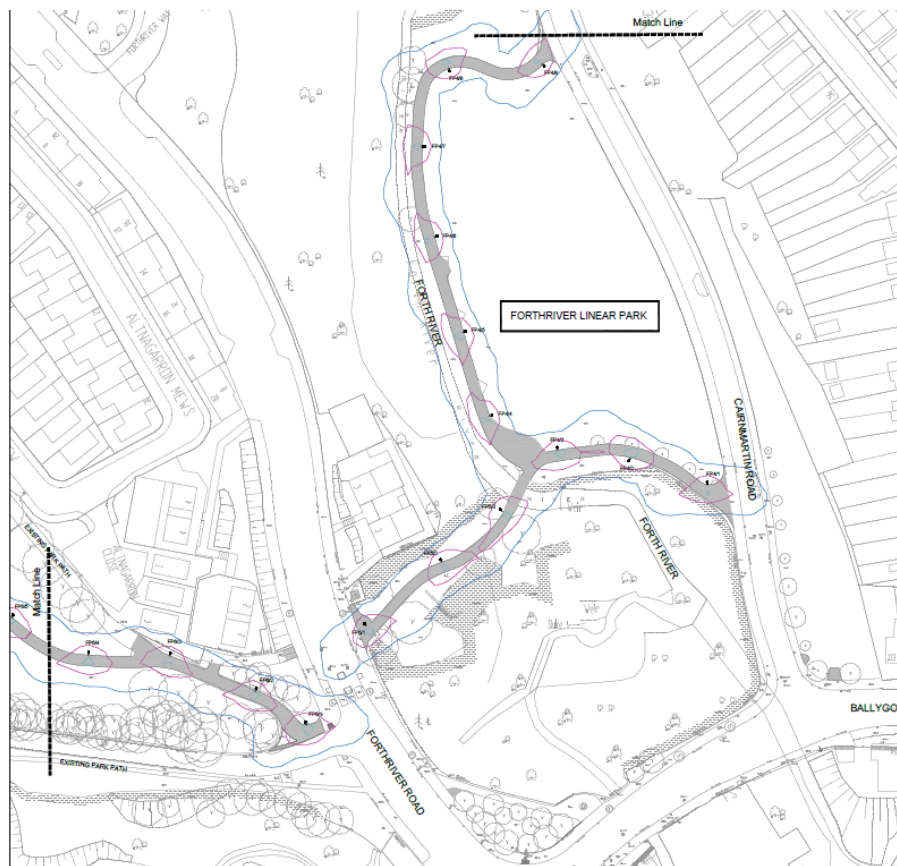
Lighting Layout- Section 1



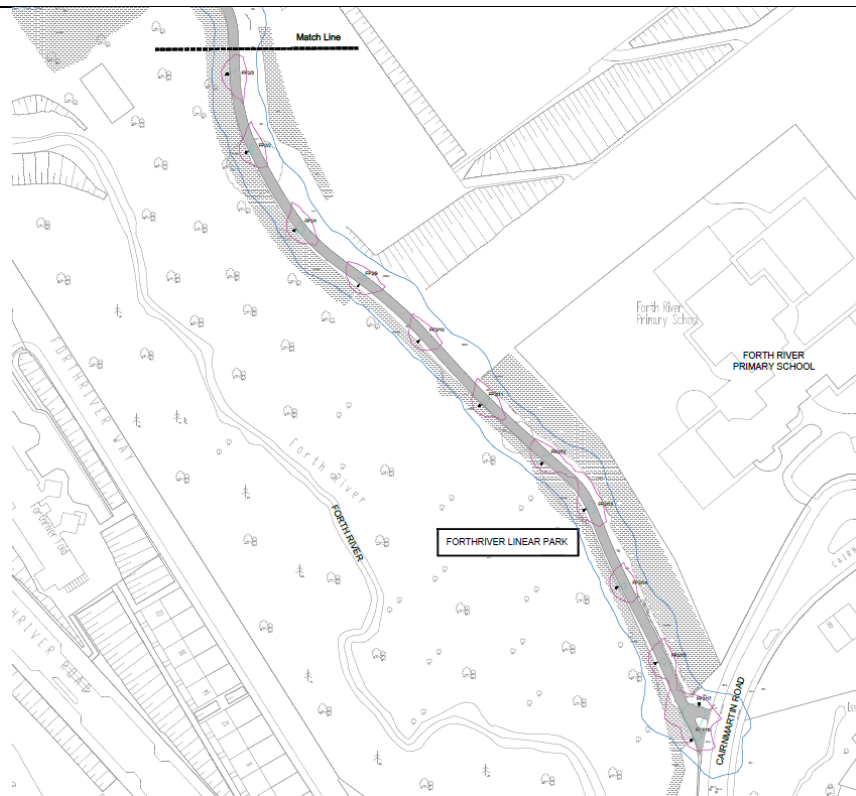
Lighting Layout- Section 2



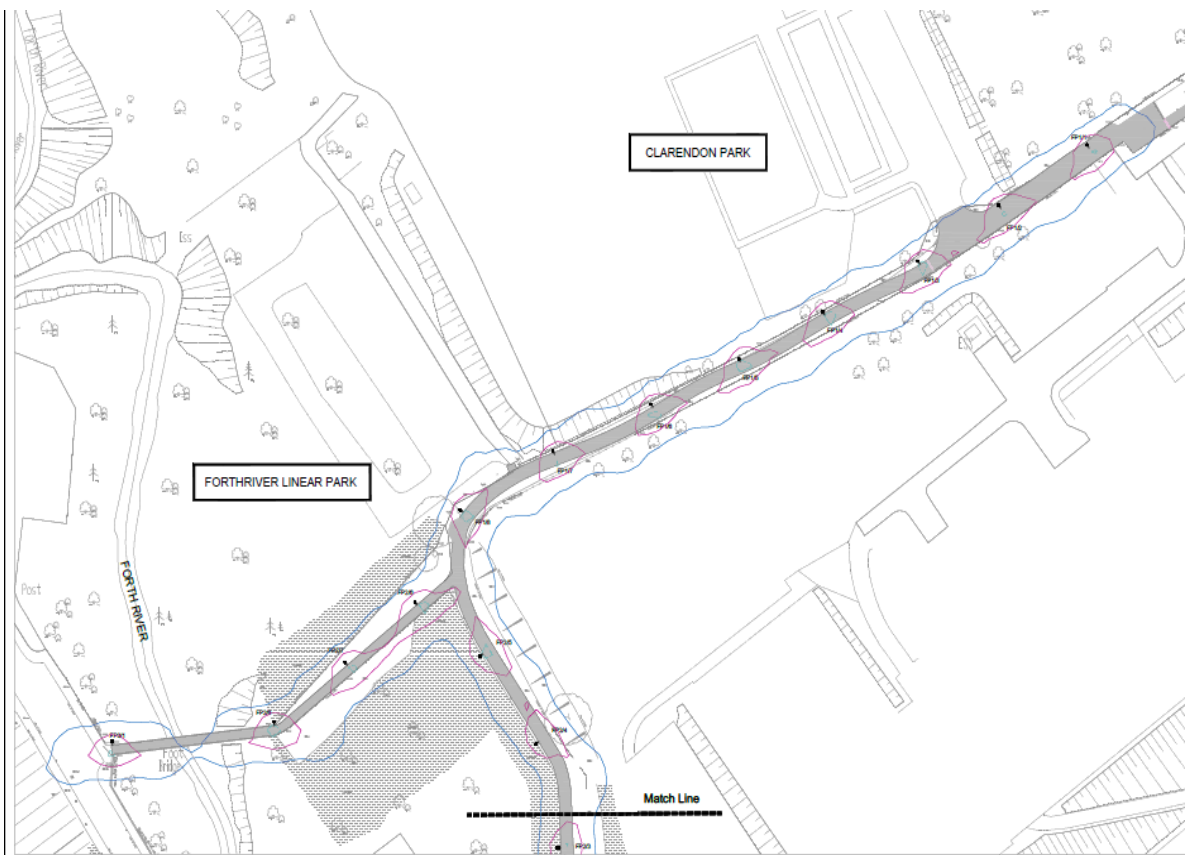
Lighting Layout- Section 3



Lighting Layout- Section 4



Lighting Layout- Section 5



Characteristics of the Site and Area	
1.0	Description of Proposed Development Lighting, including street lighting as well as associated electrical control pillars.
2.0	Description of Site The application includes two main sections within the same area at which improvements are to take place. The two sites are located as below: <ul style="list-style-type: none"> • Lands within the Glencairn park adjacent to Forthriver Road & Glencairn Road • lands within the Forthriver Linear Park adjacent to the Forthriver Road and Cairnmartin Road extending along existing pathway to both the Forthriver Way adjacent to Clarendon park <p>The lighting within Glencairn park will light a path through the park for residential properties to the North and South of the Park. The lighting within Forthriver Linear Park will provide lighting along Cairnmartin Road to Forthriver Primary School. A number of residential properties located to the East of Cairnmartin Road are separated by an area of green space. 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.</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- No objections following amendments NIEA- No objections subject to conditions
6.0	Non-Statutory Consultees Responses Environmental Health- No objection
7.0	Representations
	The application was neighbour notified on the 20 th May 2020 and again on 14 th July 2021. The application was also advertised in the local press on the 15 th May 2020. No written representations have been received.
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 • Impact on amenity <p>It is considered that the proposal is in compliance with SPSS 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 proposed lighting, including street lighting as well as associated electrical control pillars. 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 proposed lighting is considered to enhance this designation with high quality lighting design.</p> <p>Environmental Health have been consulted and are content with the proposal in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations.</p> <p>DFI Roads had concern about the location of a proposed 4m high branded beacon post / illuminated totem sign located at the Ballygomartin Road / Cairnmartin Road junction (on the road verge left hand lane turning on to Cairnmartin Road) which was then removed from the proposed drawing (the description has been amended to remove the beacon light as originally referred to). Following this amendment, DFI offered no objection to the proposal.</p> <p>Design</p> <p>As a means to help the shared space users feel safe and secure all paths on the route are planned to be fully lit. The proposal includes a number of 6m high black or graphite columns with lantern style lights at regular intervals along the route. LED lanterns have been selected to minimise light spill. The asymmetric light beam casts light longitudinally along the path and the lanterns have negligible upward light output. The column spacing has been maximised to reduce the number of lanterns required. The slimline design and spacing between ensures the lighting columns are acceptable within their wider context. The resulting well lit path will ensure the green space is user friendly and safe. The proposal complies with the design requirements of the SPSS.</p> <p>Ecology</p> <p>NIEA were consulted and requested the submission of a bat survey. This has been reviewed by the Natural Environment Division who have no objection to the proposal subject to conditions. 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 SPSS.</p> <p>Amenity</p> <p>The proposed lighting is not considered to impact on neighbouring amenity. There are sufficient separation distances to neighbouring residential properties to ensure the</p>

	proposed lighting will not have an adverse impact on amenity. Light spill levels have been indicated on drawings and are considered acceptable.
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. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 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. Reason: Protection of environmental receptors and human health. 3. No more than one light column behind the detected body should be lit and no more than 2 – 3 light columns ahead of the detected body should be lit at any one time. Reason: To reduce the potential significance of lighting on the local bat population. 4. Twenty four bat boxes, as shown on Drawings No.01-103 (Rev B), No.01-104 (Rev B) No.01-105 (Rev B) and No.01-106 (Rev B) within the Bat Survey uploaded to the Planning Portal on 26th August 2021 shall be erected throughout the application site. Reason: To provide compensatory roosting opportunities for bats given the potential of existing roosting opportunities to be disturbed by the proposal. 5. The lighting specifics of the proposal must be maintained as those agreed between the Planning Authority and NED as the consultee. Should the Planning Authority wish to deviate from those specifics as provided, NED must be reconsulted to assess the potential need for further compensation/mitigation efforts. Reason: To ensure bats are afforded appropriate mitigation and compensation where necessary. <p>Informatives</p> <ol style="list-style-type: none"> 1. CLEAN NEIGHBOURHOODS AND ENVIRONMENT (NORTHERN IRELAND) ACT 2011

Artificial lighting should be optically controlled and directed in such a manner as to minimise light pollution from glare and spill. Guidance notes for the reduction of obtrusive light may be obtained from the institution of lighting engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire CV21 2DZ, available at <http://www.britastro.org/dark-skies/pdfs/ile.pdf>

2. Notwithstanding the terms and conditions of the Planning Authority's approval set out above, you are required under Articles 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure's consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the DfI Roads Section Engineer whose address is Belfast North Section Office, 1a Airport Road, Belfast, BT3 9DY. A monetary deposit will be required to cover works on the public road
 3. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
 4. All construction plant and materials shall be stored within the curtilage of the site
 5. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site
 6. Bats
The applicant's attention is drawn to The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:
 - a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes all species of bat;
 - b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - c) Deliberately to disturb such an animal in such a way as to be likely to -
 - i. affect the local distribution or abundance of the species to which it belongs;
 - ii. Impair its ability to survive, breed or reproduce, or rear or care for its young;or
 - iii. Impair its ability to hibernate or migrate;
 - d) Deliberately to obstruct access to a breeding site or resting place of such an animal;or
 - e) To damage or destroy a breeding site or resting place of such an animal.
- If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel. 0289056 9558 or 028 9056 9557.

Notification to Department (if relevant) – N/A
Representations from Elected members - None