

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

8th November, 2023

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room - City Hall and remotely, via Microsoft Teams, on Tuesday, 14th November, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

7 (c) Planning Issues when considering Applications for 3G Pitches (Pages 1 - 10)

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Subject:	Planning issues when considering applications for 3G pitches
Date:	14 th November 2023
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management)

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To provide the Committee with an overview of the typical planning issues and policy considerations relevant to the assessment of planning applications for 3G pitches.
2.0	Recommendation
2.1	The Committee is asked to note the report.
3.0	Main Report
	<u>Background</u>
3.1	At the August 2023 Planning Committee meeting, Members sought information on the typical planning issues relevant to consideration of planning applications for 3G pitches.
3.2	This report sets out the legislative context for decision making, the main planning issues relevant to applications and their associated planning policies. These considerations will often equally apply to planning applications for other forms of play pitches.

Legislative context

3.3 As the Committee is aware, NI operates a plan-led system whereby planning applications must by law be decided in accordance with the Local Development Plan, unless material considerations indicate otherwise.

3.4 The Local Development Plan (LDP) for Belfast will be in two parts. Firstly, the Belfast LDP Plan Strategy 2035 (PS), which was adopted in May 2023. Secondly, the Belfast Local Policies Plan (LPP), which is yet to be published. Until such time as the LPP is adopted, the Council must have regard to the proposals maps and zonings in the Belfast Urban Area Plan 2001 (the “Departmental Development Plan” under the transitional arrangements), draft Belfast Metropolitan Area Plan (v2004 and v2014) and other relevant Development Plans.

Belfast Local Development Plan: Plan Strategy 2035

3.5 The operational policies in the PS are the principal consideration when the Council assesses planning applications for 3G pitches.

3.6 A range of different policies in the PS might be engaged when considering such applications depending on the location of the site and site constraints. The most common planning policy considerations are summarised in the table, below.

Policy issue	Plan Strategy Policy	Associated SPG
Provision of new open space	Policy OS2	No specific SPG
Community infrastructure	Policy CI1	No specific SPG
Health and wellbeing	Policies SP3 and HC1	No specific SPG
Impact on the character and appearance of the area	Policies DES1, LC1 and TRE1	Placemaking and Urban Design
Impact on residential amenity	Policies DES1 and ENV1	Placemaking and Urban Design
Access and parking	Policies TRAN2, TRAN6 and TRAN8	Parking Standards (DfI)
Drainage and flood risk	Policies ENV4 and ENV5	TBC Planning and Flood Risk Sustainable Drainage Systems
Natural environment	Policy NH1	Trees and Development

3.7 A link to the PS policies and Supplementary Planning Guidance is provided below.

[https://www.belfastcity.gov.uk/Planning-and-building-control/Planning/Local-development-plan-\(1\)/Local-development-plan/Adoption-of-Plan-Strategy-documents](https://www.belfastcity.gov.uk/Planning-and-building-control/Planning/Local-development-plan-(1)/Local-development-plan/Adoption-of-Plan-Strategy-documents)

	<p><u>Provision of new open space with settlements</u></p>
3.8	<p>The Council recognises the need to make provision for new open space, including sport and outdoor recreation facilities, within the city. Policy OS2 states that <i>'Planning permission will be granted for [such uses] at appropriate locations within the defined settlement limits, subject to consideration of the nature and location of any proposals.'</i> Policy OS2 goes onto require proposal to satisfy a range of criteria relating to landscaping; impact on visual and residential amenity; natural and built heritage; design of ancillary buildings; traffic; accessibility; parking, drainage and waste disposal. In these regards, there is cross over with other policies in the Plan Strategy, as discussed below.</p>
	<p><u>Community infrastructure</u></p>
3.9	<p>3G pitches are a form of community infrastructure and can act as an important community hub for people, bringing people and communities together – important material considerations. Policy CI1 supports the provision of new community infrastructure. It states that: <i>'The council will seek to protect and provide development opportunities for community, health, leisure, nurseries and educational facilities based on local need in line with the projected population growth over the plan period. Planning permission will be granted for the provision of new and improved community infrastructure at appropriate and accessible locations within the urban area, subject to consideration of the nature and location of any proposals. All proposals shall ensure that there is no unacceptable impact on residential amenity or natural/built heritage and satisfactory arrangements are provided for access for all, including for pedestrians, cyclists and public transport...'</i></p>
3.10	<p>As can be seen, accessibility, residential amenity, natural and built heritage impacts are also important considerations within the policy. These issues are also addressed through other planning policies as set out below.</p>
	<p><u>Health and wellbeing</u></p>
3.11	<p>3G pitches can provide excellent opportunities for people to exercise and join in team sports, helping their physical and mental wellbeing. Policy SP3 supports development that maximises opportunities to improve health and wellbeing.</p>
3.12	<p>Policy HC1 states that <i>'The council will seek to ensure that all new developments maximise opportunities to promote healthy and active lifestyles. New developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles. This will include supporting active travel options, improving accessibility to local service centres, reducing the use of private car travel, adequate provision of public open space, leisure and recreation facilities, high quality design and promoting balanced communities and sustainable neighbourhoods.'</i></p>
	<p><u>Impact on the character and appearance of the area</u></p>
3.13	<p>Due to their size and scale, and depending on their location, 3G pitches can have a significant impact on the character and appearance of the area and/or landscape. The Planning Service will undertake a visual assessment of the impact of the proposals and applications will need to be supported by sufficient visual material including plans, drawings, sections and sometimes imagery.</p>
3.14	<p>Policy DES1 relates to the principles of urban design. It states that <i>'Planning permission will be granted for new development that is of a high quality, sustainable design that makes a positive contribution to placemaking...'</i> and goes onto list a series of criteria that proposals will need to satisfy.</p>

3.15	In relation to landscape impact, Policy LC1 states that <i>'New development should seek to protect and, where appropriate, restore or improve the quality and amenity of the landscape. The council will adopt the precautionary approach in assessing development proposals in any designated landscape...'</i>
3.16	Policy ENV1 states that development must not result in unacceptable impact on the environment, including light pollution. Floodlighting may therefore also be an important consideration, both in terms of the visual impact of the stanchions but also the luminance levels of the actual lighting.
3.17	The luminance from the floodlighting could impact on the character of the area. The Council's Environmental Health team will typically be consulted and proposals are assessed having regard to industry standards such as guidance from the Institute of Lighting Professionals.
<u>Impact on residential amenity</u>	
3.18	3G pitches generate noise and will sometimes be proposed close to housing. In such cases, noise impact on neighbours' enjoyment of their property, otherwise known as "amenity", can be an important consideration. The Planning Service will typically consult the Council's Environmental Health team in such circumstances. Applications should be accompanied by necessary supporting documentation such as a Noise Impact Assessment and a Lighting Assessment where floodlighting is proposed.
3.19	Policy ENV1 states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. Development must not result in an unacceptable adverse impact on the environment, including, amongst others, noise and light pollution.
3.20	In some cases, depending on the circumstances, it may be necessary to mitigate the impacts on amenity by means of planning conditions, such as: <ul style="list-style-type: none"> • Restricting the hours that the 3G pitch can operate • Restricting the hours that any floodlighting can be operated • Controlling the design and levels of luminance of the floodlighting • Requirement for construction of an acoustic fence.
<u>Access and parking</u>	
3.21	Accessibility is an important consideration. Policy SP7 supports connectivity to and within the city by sustainable transport modes, such as public transport, walking and cycling. There is cross over with Policy CI1 which requires that <i>'...satisfactory arrangements are provided for access for all, including for pedestrians, cyclists and public transport.'</i> Furthermore, Policy TRAN 2 states that <i>'Planning permission will be granted for development proposals open to the public or to be used for employment or education purposes where it is designed to provide suitable access for all.'</i>
3.21	3G pitches have the potential to generate significant traffic. Policy TRAN 6 states that <i>'Planning permission will be granted for a development proposal involving direct access, or the intensification of the use of an existing access, onto a public road where... such access will not prejudice road safety or significantly inconvenience the flow of road users.'</i>
3.22	With traffic comes the demand for parking. Policy TRAN 8 relates to parking and servicing requirements. It states that <i>'Development proposals will be required to provide adequate provision for car parking and appropriate servicing arrangements, however, the emphasis</i>

	<p><i>will be to allow parking provision that will assist in reducing reliance on the private car in particular for commuting into the city, help tackle growing congestion and bring about a change in travel behaviour. The precise amount of car parking for development proposals will be determined according to the specific characteristics of the development and its location having regard to the DfI's published standards... Proposals should not prejudice road safety, significantly inconvenience the movement of road users or be detrimental to local environmental quality.'</i></p>
3.23	<p>The Planning Service will consult DfI Roads as a statutory consultee in relation to traffic and parking impacts.</p> <p><u>Drainage and flood risk</u></p>
3.24	<p>The impact of proposals on drainage will often be an important consideration with 3G pitches often introducing semi-hard surfacing on existing grassed areas. Policy ENV5 states that <i>'All built development should include, where appropriate, SuDS measures to manage surface water effectively on site, to reduce surface water runoff and to ensure flooding is not increased elsewhere.'</i></p>
3.25	<p>Depending on their location, sites may also be at risk of flooding. Policy ENV4 states that <i>'Planning applications in flood risk areas must be accompanied by an assessment of the flood risk in the form of a Flood Risk Assessment (FRA). The council will have regard to guidance publications produced by other authorities and prospective developers/applicants are advised to liaise early in the formulation of their proposals with DfI Rivers to clarify flooding or flood plain issues that may affect particular sites. In all circumstances, the council will adopt a precautionary approach in assessing development proposals in areas that may be subject to flood risk presently or in the future as a result of environmental change predictions.'</i></p>
3.26	<p>Certain select types of development may be approved in a flood risk area under the exceptions test. The SPG allows for the provision of areas for amenity open space, sports, outdoor recreation and nature conservation purposes on the basis that such areas are not generally occupied and are unlikely to incur major damage as a result of flooding.</p>
3.27	<p>The Planning Service will consult DfI Roads as a statutory consultee in relation to drainage impacts and flood risk. It may also consult DAERA in relation to groundwater impacts.</p> <p><u>Natural heritage</u></p>
3.28	<p>Depending on their location, 3G pitches may have ecological and other natural heritage impacts. Policy NH1 states that <i>'The council will adopt the precautionary principle when considering the impacts of a proposed development on local, national or international natural heritage resources, including designated sites, protected species and the other important interests of biodiversity and geodiversity. In assessing new development proposals, the council will seek to ensure the protection of the district's natural heritage and biodiversity. New development will not have an unacceptable effect, either directly, indirectly, or cumulatively, on sites, habitats, species or ecosystems and networks that are important for their nature conservation, biodiversity or geodiversity value. This includes designated sites, habitats and species protected by law, priority habitats & species and other important nature conservation and biodiversity interests and ecological networks.'</i></p>
3.29	<p>Planning applications may be required to be accompanied by a Biodiversity Checklist and other ecological reports.</p>

3.30	The Planning Service will consult DAERA Natural Environment Division (NED) as a statutory consultee in relation to natural heritage impacts.
3.31	<i>Sites for 3G pitches may also be hydrologically linked to Belfast Lough – a Special Protected Area, RAMSAR and Area of Special Scientific Interest (ASSI). Policy NH1 goes onto state that: ‘The council will have due regard to the relative importance and levels of protection afforded to the hierarchy of international, national and local designated sites and to habitats and species in considering development proposals. In this regard, proposals that have, or could have, a significant effect on an international site will not be supported by the council. Proposals that have an adverse effect on a national site or a significant adverse effect on a local site will not be supported.’</i>
3.32	Where a site has the potential to be hydrologically linked to Belfast Lough, the Planning Service will consult Shared Environmental Services (SES). SES provides specialist advice to NI councils in relation to the Habitats Regulations. Depending on their location, proposals will need to be accompanied by a Shadow Habitats Regulations Assessment (HRA) to ascertain whether the proposals will likely have a significant environmental effect on the lough. SES will then carry out their own HRA on behalf of the Council.
3.33	Officers recently wrote to SES seeking confirmation as to whether SES routinely considers the impact of microplastics (a common design feature of 3G pitches) when carrying out its HRA. In its response, SES advised that in September 2023. <i>‘...the EU Commission adopted the EU REACH restriction on intentionally added microplastics. Once entered into force, the restriction will apply in the EU and Northern Ireland.’</i>
3.34	SES goes onto to advise that <i>‘According to the EU, the granular infill material used on artificial sport surfaces is the largest source of intentional microplastics in the environment. A sales ban on granular infill materials will apply after eight years so that affected stakeholders have time to develop and switch to alternative materials.’</i>
3.35	<i>In the interim and in light of the science underpinning the restriction, SES will require robust evidence of appropriate mitigation for artificial surfaces with linkages to designated sites. The most effective control is avoidance of infill materials entering the aquatic environment and all applicants must be able to demonstrate effective mitigation in this respect.’</i>
3.36	A copy of the SES’s reply is provided at Appendix 1 .
3.37	Where this issue arises, applicants will be required to mitigate the impacts either through specific control measures or to explore alternative materials. These options would be explored with SES as part of the PAD/application process. It is understood that use of alternative materials would have economic implications and the market is responding by developing alternative products following the EU ban on microplastics.
3.38	According to the European Commission website, for infill material for sport pitches, the ban applies after 8 years to give pitch owners and managers the time to switch to alternatives and allow for most existing sport pitches to reach their end of life.
	<u>Other material considerations</u>
3.39	A range of other material considerations may be relevant to consideration of the application, depending on its location and circumstances. Examples of other material considerations include: <ul style="list-style-type: none"> • Strategic Planning Policy Statement for Northern Ireland (2015) • Planning history of the site and/or surrounding area • Views of local people

3.40	<p><u>Planning balance</u></p> <p>Sometimes, policy issues and/or material considerations will be in conflict with one another. For example, a proposed 3G pitch may have an adverse landscape impact in contravention with Policies DES1 and LC1, but could result in significant community and health benefits, supported by Policies SP3 and HC1. In such cases, the Council will need to exercise the “planning balance”, weighing conflicting issues against one another and drawing a conclusion as to what is best for the site, area and city in the round. Indeed, the PS states that its policies should be read holistically and in the round.</p>
4.0	Financial & Resource Implications
4.1	No specific impacts identified.
5.0	Equality or Good Relations Implications / Rural Needs Assessment
5.1	No adverse impacts identified.
6.0	Appendices – Documents Attached
	Appendix 1 – letter from Shared Environmental Services (SES)

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Shared Environmental Service
Silverwood Business Park
190 Raceview Road
Ballymena
Co. Antrim
BT42 4HZ

05/10/2023

Dear Mr Baker,

Materials used in the construction of 3G pitches

On 25 September 2023, the EU Commission adopted the EU REACH restriction on intentionally added microplastics. Once entered into force, the restriction will apply in the EU and Northern Ireland. There is currently no restriction proposal for microplastics under UK REACH for the GB market; although, the Health and Safety Executive (HSE) is soon going to start an evidence project that will inform any Regulatory Management.

According to the EU, the granular infill material used on artificial sport surfaces is the largest source of intentional microplastics in the environment. A sales ban on granular infill materials will apply after eight years so that affected stakeholders have time to develop and switch to alternative materials.

In the interim and in light of the science underpinning the restriction, SES will require robust evidence of appropriate mitigation for artificial surfaces with linkages to designated sites. The most effective control is avoidance of infill materials entering the aquatic environment and all applicants must be able to demonstrate effective mitigation in this respect.

Yours sincerely,



Malachy Kearney

Principal Environmental Planning Officer

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