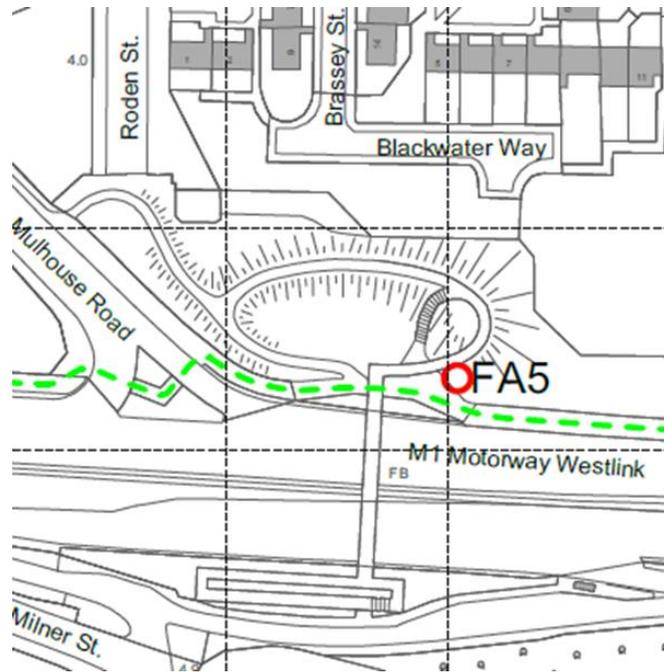


## Development Management Officer Report Committee Application

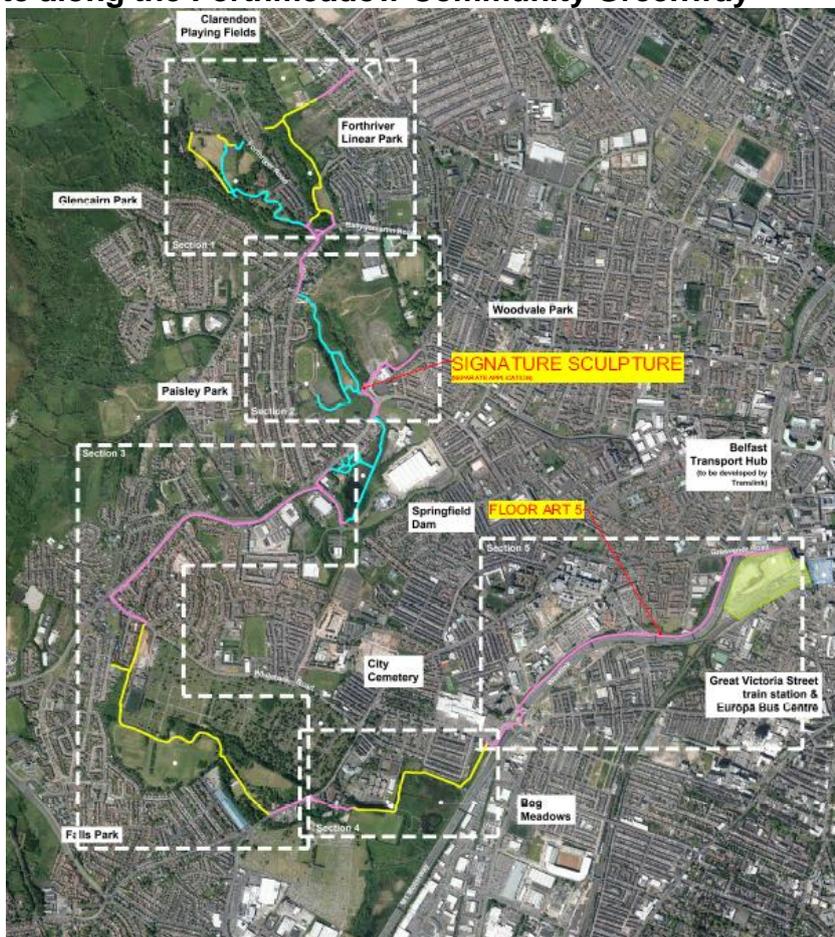
<b>Summary</b>	
<b>Committee Meeting Date:</b> 15 November 2022	
<b>Application ID:</b> LA04/2022/1804/F	<b>Target Date:</b>
<b>Proposal:</b> Floor art installation measuring 600 X 600mm in support of overall Signature Sculpture proposal (signature sculpture proposal is part of a separate application Ref: LA04/2022/1236/F) and all associated works as part of new Forth Meadow Community Greenway project.	<b>Location:</b> Lands located approx. 70m south of 5 Riverside Square Belfast BT12 5RJ (along the Forth Meadow Community Greenway).
<b>Referral Route:</b> The Council is applicant	
<b>Recommendation:</b>	
<b>Applicant Name and Address:</b> Belfast City Council Property & Projects Department Adelaide Street Belfast BT2 8DJ	<b>Agent Name and Address:</b> Bell Architects Ltd 65 Main Sreet Ballymoney BT53 6AN
<p><b>Executive Summary:</b> The application seeks full planning permission for a proposed floor art sculpture and associated site works on Land located approximately 70m south of 5 Riverside Square, Belfast.</p> <p>The site comprises the grassed area adjacent to the pedestrian footpath. The site lies between the Westlink and the pedestrian bridge which provides access to the Royal Victoria Hospital and forms part of the proposed Forth Meadow Community Greenway.</p> <p>The scale, design and materials of the proposal will not detract from the appearance and character of the surrounding area.</p> <p>The proposal is considered to comply with relevant planning policy and guidance. The sculpture is a well-designed compatible use at this location and will contribute positively to the overall environmental quality of the area.</p> <p>The proposal will provide an interesting feature for those travelling along the footpath which forms part of the Forth Meadow Greenway without detriment to the amenity of nearby uses nor it will hinder or preclude any future uses.</p> <p>Following advertisement in the local press no representations have been received.</p> <p>DFI Roads offers no objection.</p> <p><b>Recommendation</b> Having regard to the policy context and other material considerations the proposal is considered acceptable and planning permission is recommended for approval. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.</p>	

## Case Officer Report

### Site Location Plan



### Location of site along the Forthmeadow Community Greenway



Visual of proposed floor art



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The application seeks full planning permission for a floor art installation measuring 600 x 600mm and all associated works as part of new Forth Meadow Community Greenway project, on Land located approximately 70m south of 5 Riverside Square, Belfast.
<b>2.0</b>	<b>Description of Site</b>
2.1	The application site comprises the grassed area adjacent to the pedestrian footpath. The site lies between the Westlink and the pedestrian bridge which provides access to the Royal Victoria Hospital and forms part of the Forth Meadow Community Greenway.
2.2	The surrounding area is characterised by employment, industrial, educational, open space and residential areas around the Springfield Road.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	LA04/2022/0876/F – Proposed upgrade of existing footways – under consideration
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2015 (2004 version)
4.3	Draft Belfast Metropolitan Area Plan 2015 (2014 version)
4.4	4.4.1 Strategic Planning Policy Statement for Northern Ireland (SPPS) 4.4.2 Planning Policy Statement 3: Access, Movement and Parking
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection subject to conditions.
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	None
<b>7.0</b>	<b>Representations</b>
7.1	The application has been advertised in the local press on 15 <sup>th</sup> July 2022. No representations have been received to date following advertisement in the local press.
7.2	Having regard to the legislative requirements (Article 8 (2) of the General Development Planning Order (GDPO) 2015, no neighbours have been notified, as there are no occupiers of the neighbouring land adjacent the site.

<b>8.0</b>	<b>Other Material Considerations</b>
8.1	The adopted Belfast Urban Area Plan 2001 shows the site is designated as un-zoned “white land”.
8.2	Draft Belfast Metropolitan Area Plan (BMAP) (both versions) identifies the site as un-zoned “white land”.
<b>9.0</b>	<b>Assessment</b>
9.1	<p>The Key issues in the assessment of the proposed development are:</p> <ul style="list-style-type: none"> <li>• Impact on the character and appearance of the surrounding area;</li> <li>• Impact on pedestrian and vehicular access and safety.</li> </ul>
9.2	<p><b>Planning Policy Context</b></p> <p>The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.</p>
9.3	<p>Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.</p>
9.4	<p>As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP was never adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration. Given its advanced stage in the adoption process, the latest version of dBMAP (version 2014) is considered to hold significant weight.</p>
9.5	<p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council’s Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.</p>
9.6	<p>Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance. 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>
9.7	<p><b>Background</b></p> <p>The application seeks planning permission to erect a floor art installation measuring 600 x 600mm in the grass area adjacent to the existing footpath, which will form part of the Forth Meadow Community Greenway. The site falls with the Masterplan for Forth Meadow. The sculpture concept is inspired by the wide range of ages within the area’s population and its</p>

<p>9.8</p> <p>9.9</p> <p>9.10</p>	<p>future hope for the community. This is embedded as the adult figure carries the next generation who carries a bird.</p> <p><b>Impact on the character and appearance of the area</b> The floor art installation measuring 600 x 600mm by 10mm thick constructed of marine grade corten steel set flush to the ground to eliminate trip hazard. The floor art represents the community and the person and refers to the proximity of the site to the Royal Victoria Hospital, City Hospital and the Medical Library with the stethoscope also reinforcing the strength of listening. The artwork is of a minor scale. The proposal complies with the good design paragraphs within the SPPS.</p> <p>The proposal has been assessed against SPPS, the sculpture is considered to be of a high quality and design and is considered to be in compliance with the SPPS, in that it will not adversely impact on the local character or integrity of the area.</p> <p><b>Impact on Pedestrian and vehicular access and safety</b> The statue is to be located flush to the ground in the grassed area and will not be on the public pavement therefore, it will not hinder pedestrian movement or cause an obstruction. DFI Roads consulted and offer no objection.</p>
<p>10.0</p> <p>10.1</p>	<p><b>Summary of Recommendation:</b> Having regard to the policy context and other material considerations above, the proposal is considered acceptable. Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions.</p>
<p>11.0</p>	<p><b>Conditions</b></p> <p>1. The development hereby permitted must be begun within five years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p><b>Informatives</b></p> <p>1. The developer should consider all consultees comments prior to commencing this proposal. All comments can be viewed on the planning portal quoting the application reference number.</p>
<p><b>Notification to Department (if relevant)</b></p> <p>N/A</p>	
<p><b>Representations from Elected members:</b></p> <p>None</p>	

<b>ANNEX</b>	
<b>Date Valid</b>	3rd October 2022
<b>Date First Advertised</b>	14th October 2022
<b>Date Last Advertised</b>	14th October 2022
<b>Details of Neighbour Notification (all addresses)</b> N/A	
<b>Date of Last Neighbour Notification</b>	N/A
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>  04 Proposed floor art design and site location 05 Proposed floor art site layout	