

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 14 th March 2023	Item Number:
Application ID: LA04/2022/2220/F	Target Date:
Proposal: It is proposed to erect an art installation of 10 no. printed diabond panels of 2400mm x 1200mm, which will be attached to the existing metal boundary fence of the premises using appropriate fixings.	Location: 10-14 York Road, Belfast, BT15 3HE
Referral Route: The application is part of the Business Cluster Support Project which is funded by Belfast City Council	
Recommendation:	Approval
Applicant Name and Address: Small Steps C/o Muriel Bowyer North Belfast Orange Memorial Hall 170 Alexandra Park Avenue Belfast BT15 3GJ	Agent Name and Address: OGU Architects Flax Art Studios 31-33 Bedford Street Belfast BT2 7EJ
<p>Executive Summary:</p> <p>The application is seeking full planning permission for the erection of an art installation comprising of 10no. diabond panels of 2.4m by 1.2m (landscape) which will be attached to the existing metal boundary fence of the premises using appropriate fixings.</p> <p>This is an Ulster Scots themed project where panels will include pictures and text of great Ulster-Scots from the last hundred years including soldiers, scientists, inventors, sportsmen, writers and artists, who have had strong links to Belfast including CS Lewis, John Stewart Bell and Amy Carmichael.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> - Impact on amenity and general characteristics of the area - Impact on public safety. <p>The site is located at 10-14 York Road which is a corner site; the site is currently vacant and bound by high metal fencing on the York Road and Mountcollyer Avenue side. The surrounding area is a mix of commercial properties on the York Road and residential dwellings to the rear along Mountcollyer Avenue.</p> <p>The proposal has been assessed against the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).</p> <p>DFI Roads offer no objection to the proposal subject to conditions.</p> <p>One representation was received from Mr R Geddis, 16-22 York Road. Issues raised included the location of the boards on his property and the address of the property. A telephone call with Mr R Geddis confirmed that he did not own the land, rather he has a right of way over the land to access his property. The plans do not show that the gates on either the York Road or Mountcollyer Avenue</p>	

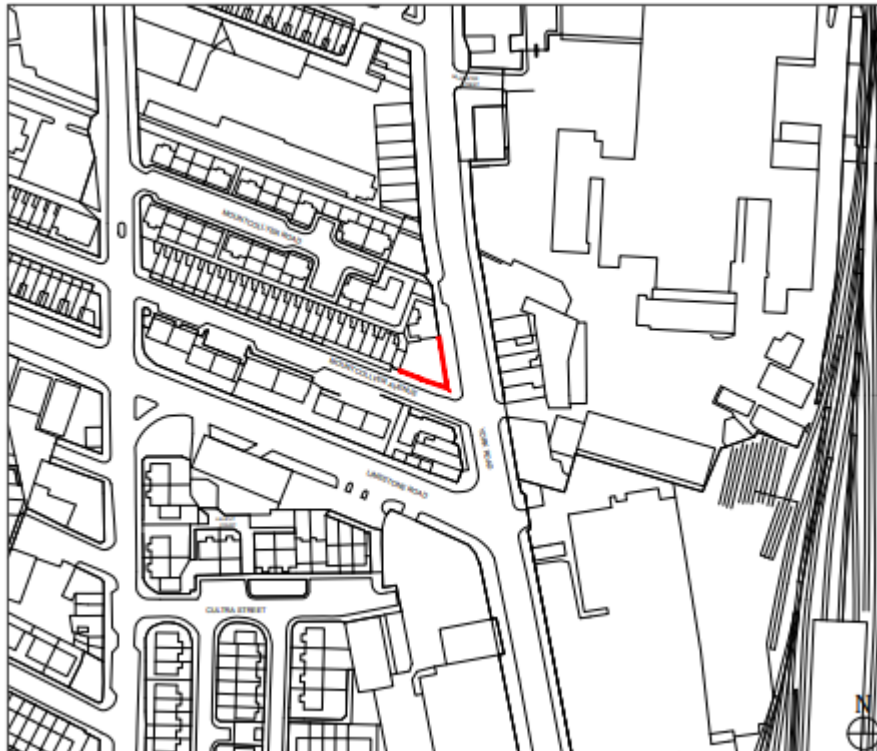
frontages to be blocked by the proposal. The issue regarding the address has already been resolved, with it amended to 10-14 York Road.

Recommendation: Approval

It is recommended that the application is approved for a temporary period of 3 years, and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.

Case Officer Report

Site Location Plan





Characteristics of the Site and Area	
1.0	Description of Proposed Development
1.1	The application is seeking full planning permission for the erection of an art installation comprising of 10no. diabond panels of 2.4m long by 1.2m in height (landscape) which will be attached to the existing metal boundary fence of the premises using appropriate fixings.
1.2	It is proposed that 6no. panels will be on the Mountcollyer Avenue side and 4no. on the side fronting onto York Road.
2.0	Description of Site
2.1	The application site is located along York Road, on the corner with Mountcollyer Avenue. It is a derelict, vacant site bound by metal fencing. The neighbouring properties along York Road are of a commercial and retail nature, whilst the properties to the rear are residential.
Planning Assessment of Policy and other Material Considerations	
3.0	Relevant Site History
3.1	Application site: LA04/2018/1670/A – 10-14 York Road, Belfast – 2x hoarding, 2m by 1.4m (portrait) – Refused, 12 th October 2018
4.0	Policy Framework
	<u>Development Plans</u>
4.1	Belfast Urban Area Plan (BUAP) 2001
4.2	Draft Belfast Metropolitan Area Plan (dBMAP v2004)
4.3	Draft Belfast Metropolitan Area Plan (dBMAP v2014)
4.4	Draft Belfast Local Development Plan 2035 – Draft Plan Strategy
	<u>Regional Planning Policy</u>
4.5	Regional Development Strategy (RDS) 2035
4.6	Strategic Planning Policy Statement (SPPS)
5.0	Consultations:
5.1	Statutory Consultee Responses
5.1.1	DFI Roads – no objections to the proposal.

<p>5.2 5.2.1</p>	<p>Non-Statutory Consultee Responses None</p>
<p>6.0 6.1</p>	<p>Representations One representation was received from Mr R Geddis, 16-22 York Road. Issues raised included the location of the boards on his property and the address of the property. A telephone call with with Mr R Geddis confirmed that he did not own the land, rather he has a right of way over the land to access his property. The plans do not show that the gates on either the York Road or Mountcollyer Avenue frontages to be blocked by the proposal. The issue regarding the address has already been resolved, with it amended to 10-14 York Road.</p>
<p>7.0 7.1 7.2 7.3 7.4 7.5 7.6</p>	<p>Assessment <u>Policy Context</u></p> <p>Section 6(4) of the Planning Act (Northern Ireland) 2011 states that: <i>'Where, in making any determination under this Act, regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.'</i></p> <p>Section 45(1) of the Act states that the council must <i>'...have regard to the local development plan, so far as material to the application, and to any other material considerations...'</i>.</p> <p>Following the Court of Appeal decision on BMAP, the extant development plan is the BUAP. However, dBMAP remains an important material consideration. Given the stage at which the draft BMAP (v2014) had reached pre-adoption through a period of independent examination, it is considered to hold significant weight, save for retail policies relating to Sprucefield, Lisburn, which remain contentious.</p> <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> <p><u>Key Issues</u></p> <p>The key issues relevant to consideration of the application are:</p> <ul style="list-style-type: none"> • Impact on amenity and general character of the area; and • Impact on public safety. <p>The proposal seeks permission for the installation of 10no. printed panels measuring 2.4m x 1.2m. The proposal is part of a Business Cluster Support Project and is an Ulster-Scots themed project. The panels are proposed to incorporate photographs and text of great Ulster Scots from the last 100 years including soldiers, scientists, inventors, sportsmen, writers and artists, many of whom have had strong links to Belfast including, CS Lewis, John Stewart Bell and Amy Carmichael.</p>

7.7	The proposed panels will be for information purposes only and will not be used for the purpose of advertising. The proposal is considered acceptable under the SPPS as the proposed panel is not located in an area which features any historic, archaeological, architectural, landscape or cultural interest.
7.8	The position of the panels on the host building and their scale and size in relation to that building is considered acceptable. The proposal is not illuminated and are not considered to prejudice public safety.
7.9	The proposal is not considered to result in clutter when read with existing advertisements in the area. The adjoining pawn broker shop and betting shop currently have 1 fascia sign each. The panels are not high level and will not appear dominant or out of character within the context of the surrounding area, as well as improving the amenity of the area by helping to screen a derelict site.
8.0 8.1	<p>Conclusion</p> <p>On balance, it is considered that the proposed development is acceptable, having regard to the Development Plan and retained planning policy and other material considerations. Therefore, the recommendation is to grant planning permission for a temporary period of 3 years. It is recommended that the Director of Planning and Building Control uses her delegated authority to finalise the wording of the conditions.</p>
9.0	<p>Draft Conditions</p> <p>1. The permission hereby granted is for a temporary period of 3 years. The art installation and all associated development hereby granted will be removed on or before 3 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011 and in order to protect the amenity of the area</p> <p>2. The art panels hereby granted shall be used to display information for the Ulster-Scots themed project only and will be kept well maintained and in good repair to the reasonable satisfaction of the council</p> <p>Reason: In the interests of the amenity of the area.</p>

ANNEX	
Date Valid	8 th December 2022
Date First Advertised	17 th February 2023
Date Last Advertised	As above
Date of Last Neighbour Notification	19/01/23, 31/01/23 & 09/02/23
Date of EIA Determination	N/a
ES Requested	No
Drawing Numbers and Title 01 – Site location plan 02 – Proposed site plan	
Notification to Department (if relevant) Date of Notification to Department: Response of Department:	