

Development Management Officer Report Committee Application

Summary	
Application Ref: LA04/2024/0334/F	Committee Meeting Date: Tuesday 16 th April 2024
Proposal: Renewal of planning permission LA04/2021/2804/F - shipping container for bikes and equipment.	Location: Land adjacent to Connswater Community Centre Ballymacarrett Walkway Severn Street Belfast BT4 1SX
Referral Route: Referral to the Planning Committee under section 3.8.5 (d) – BCC has an estate in the land.	
Recommendation:	Approval
Applicant Name and Address: Sustrans 2 Cathedral Square College Green Bristol BS1 5DD	Agent Name and Address: Sustrans 2 Cathedral Square College Green Bristol BS1 5DD
<p>Executive Summary: This application seeks full planning permission for a two-year extension to planning approval LA04/2021/2804/F consisting of a 9m x 2.5m shipping container to serve as a storage facility for bikes. The shipping container is associated with the Active Travel Hub at CS Lewis Square which seeks to increase active travel and push for modal shift to sustainable modes of transport. As a time-limited project, it is in general conformity with the relevant policy and area designations.</p> <p>The key issues are: a) Principle of development; b) Impact on the character and appearance of the area c) Noise, odour and other environmental impacts</p> <p>Under the BUAP 2001 the site is un-zoned white land. Under both versions of BMAP, the site is within a wider designation as an Area of Existing Open Space which extends to 1.8ha.</p> <p>No third-party objections have been received, DFI Roads have responded with no objection to the proposal.</p> <p>Recommendation: Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions, for a temporary two-year period.</p> <p>Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of conditions, and deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.</p>	

Officer Report

1.0

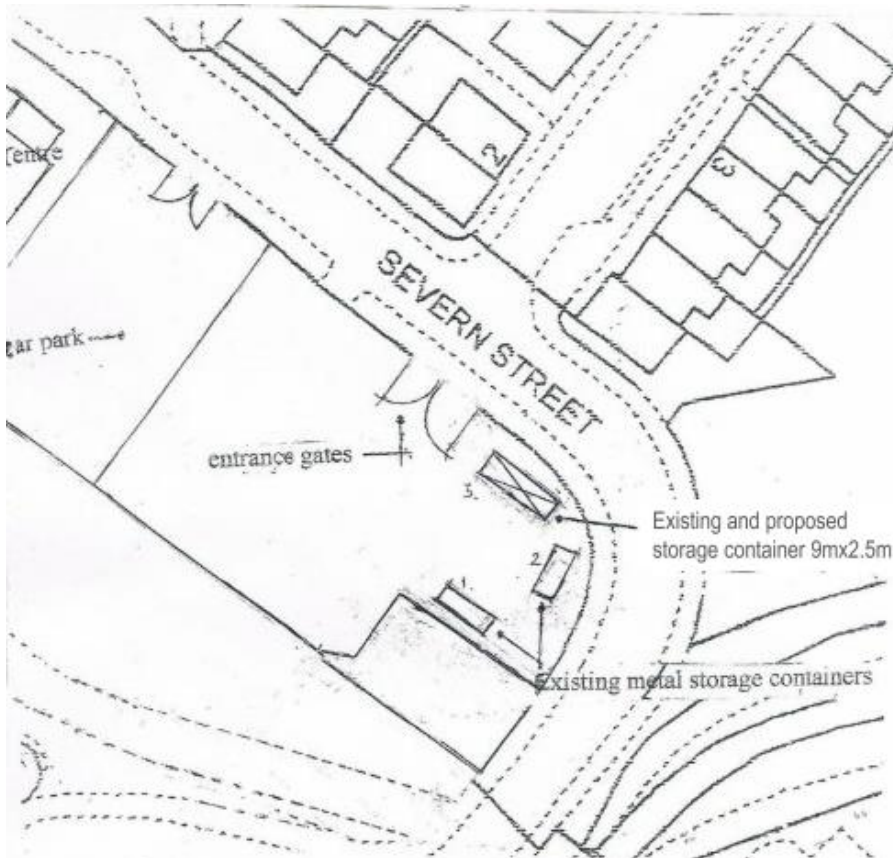
Drawings

1.1

Site Location



Block Plan



	<p>Floorplans/elevations</p> <p>9m</p> <p>2.5m</p> <p>Hatched line indicates top of galv. palisade perimeter fencing.</p> <p>Existing metal storage containers</p> <p>South West</p> <p>South East</p> <p>North East</p> <p>North West</p>
<p>2.0</p>	<p>Characteristics of the Site and Area</p>
<p>2.1</p>	<p>The site is located at lands adjacent to and south-east of Ballymacarrett Community Centre, between Severn Street and Ballymacarrett Walkway, Belfast. The site is currently an area of hardstanding having been used previously to temporarily facilitate the wider works to the Greenway. The site is bounded by a metal palisade fence, approximately 2.4m.</p>
<p>2.2</p>	<p>The site is designated as an area of Existing Open Space as outlined in dBMAP (both versions). The immediate area North of the site is residential, to the South of the site is CS Lewis Square which is a public open space. The wider area is largely residential characterised by semi-detached dwellings, beyond that is commercial and retail with various other mixed-use facilities along the Newtownards Road.</p>

3.0	Description of Proposal
3.1	Planning permission is sought for the retention of a 9m x 2.5m shipping container to serve as a storage facility for bikes, project equipment and materials for a temporary period of two years.
4.0	Planning Policy and Other Material Considerations
4.1	Development Plan – operational policies Belfast Local Development Plan, Plan Strategy 2035
4.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
4.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	Other Policies Developer Contribution Framework (BCC) Belfast Agenda Creating Places (Dfl)
4.5	Relevant Planning History LA04/2019/2990/F - Lands adjacent to and southeast of Ballymacarrett Community Centre, between Severn Street and Ballymacarett Walkway, Belfast BT4 1SX - Change of Use of land from derelict hardstand to replacement car park, new access/egress via Severn Street and Boundary treatment – Temporary Permission Granted - 02.07.2020.
5.0	Consultations and Representations
5.1	Statutory Consultations Dfl Roads – No objections
5.2	Non-Statutory Consultations N/A
5.3	Representations The application has been advertised and neighbours notified. No representations were received.
6.0	PLANNING ASSESSMENT
6.1	Development Plan Context Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.
6.2	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.

6.3	<p>The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p>
6.4	<p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.</p>
6.5	<p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p>
6.6	<p>Assessment The key issues are: a) Principle of development; b) Impact on the character and appearance of the area c) Noise, odour and other environmental impacts</p>
6.7	<p>Principle of Development The principle of a temporary development of this nature on the site has already been established under planning approval LA04/2021/0334/F which was approved at April committee in 2022.</p>
6.8	<p>Policy OS1 – Protection of Open Space applies to all areas of existing open space and states that the council will support the retention and improvement of existing open space throughout the district area. There will be a general presumption in favour of retaining all such lands and used, including protecting any character and amenity value, whether specifically identified in the LDP or not. Whilst the site was designated as Existing Open Space under both versions of the BMAP, it is undesignated white land under the BUAP. In addition, the land has been covered in hard standing for at least 15 years.</p>
6.9	<p>It is considered that the proposal will not result in an overall loss of open space and will maintain and extend an existing recreational function through the operation of the charity Sustrans for necessary short-term storage. The proposal is considered acceptable in principle as a temporary solution. The proposal complies with the development plan, SPSS and OS1.</p>
6.10	<p>Under the initial approval, officers suggested that the scheme was a temporary solution to the site and therefore should be giving permission for a period of 2 years. The Council maintain this opinion and suggest that another 2 years is granted as no permanent solution to the site has yet arisen. Any permanent solution will need to address the open space requirements of the prevailing development plan at that time.</p>
6.11	<p>Impact on the character and appearance of the area Planning permission is sought for the installation of a 9m x 2.5m shipping container to serve as a storage facility for bikes, project equipment and materials. The existing site is an enclosed vacant parcel of land owned by Belfast City Council. The site is bound by a 2.4m</p>

6.12	<p>metal palisade fencing. The site currently has hardstanding as its surfacing which will facilitate the shipping container. The site is accessed by a large gate opening onto Severn Street. Whilst the container is minor in size and will be contained within this enclosed area, its permanent retention would not be acceptable, as shipping containers are of a form and material that would be inappropriate in this designated open space location if retained permanently. If Committee is minded to approve the container, a condition is recommended to ensure removal after 2 years and a more permanent alternative storage solution should be found for the bikes to be stored.</p> <p>The immediate area surrounding the site is characterised as largely residential with housing developments present North of the site and to the South. The site is near the CS Lewis Square, which was designated as white land and now provides a much-used public open space and acts as a vital linkage between the adjacent linear parks at Severn Street through to the Newtownards Road and the wider Comber Greenway.</p> <p>In respect of visual impact, the proposal seeks to install a shipping container on land comprising a derelict hardstanding area. There exists a boundary fence surrounding the site and a vehicular access point onto Severn Street.</p> <p>Noise, odour and other environmental impacts The introduction of the proposed shipping container is not considered to cause an unacceptable impact on the visual amenity of the site or the residential amenity of neighbours. The proposal will not have any utilities connected and will be used for storage purposes for a temporary basis which will not result in unacceptable noise, nuisance, or disturbance to nearby residential properties.</p> <p>DFI Roads have been consulted on this application and have offered no objection. The proposal is considered to comply with prevailing policy with respect to amenity.</p>
8.0	Recommendation
8.1	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.
8.2	Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise provided that they are not substantive.
<p>DRAFT CONDITIONS:</p> <p>1. The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice. The structures hereby permitted shall be removed and the land restored to its former condition within 4 weeks of the end of this permission.</p> <p>Reason: This type of temporary structure is such that their permanent retention may harm the surrounding character and amenity if retained permanently.</p> <p>DRAFT INFORMATIVES:</p> <p>1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If</p>	

you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk.

2. The grant of planning permission does not dispense with the need to obtain licenses, consents or permissions under other legislation or protocols. The requirement for other authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other general advice for the benefit of the applicant or developer.