

Development Management Report

Committee Application

Summary	
Application ID: LA04/2023/3143/F	Committee Date: 14 th May 2024
Proposal: Proposed Michael Davitt Heritage & Community Centre, Reception, Toilets and associated Car Parking with Exhibition Signage to existing Trim Trail	Location: Land North of Former Corpus Christi College, Accessed off Michael Davitts GAC Grounds, Via St Mary's Gardens, Belfast
Referral Route: Application for Major development	
Recommendation: Approval	
Applicant Name and Address: Tommy Shaw 79 Fall Road, Belfast Belfast BT12 4PE	Agent Name and Address: Gerry Rogers 411a Ormeau Road Belfast BT7 3GP
<p>Executive Summary:</p> <p>This application relates to land north of the Corpus Christi College and to the east of the Michael Davitt GAC Club. The application seeks full permission for a heritage and community centre. The proposed building measures 7.2m in height and includes a multi use hall and exhibition space. The proposal includes a new car park as well as exhibition signing on an existing walking trail along the boundary of the GAC Club.</p> <p>The key issues for consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of the proposal • Design, Massing and Scale • Impact on Amenity • Environmental Protection • Climate change • Pre Application Community Consultation <p>The proposal is situated close to the existing GAC on land previously used as a gravel sports pitch. It is an appropriate and accessible location in accordance with policies CI1 and OS5.</p> <p>The proposed building is considered to integrate within the local context and the existing GAC. It is a modest scale and massing which ensures it does not dominate the residential uses nearby. The materials are to be precast concrete panels and profiled sheeting to the roof which are acceptable within the context of a sports club.</p> <p>There are no objections from consultees or third parties. A response is outstanding from Environmental Health following the submission of a Noise Impact Assessment and Generic Quantitative Risk Assessment. Environmental Health have advised there are currently issues with both reports and further information is required. The proposal however, would not be deemed unacceptable in principle and the submission of further information will be able to inform appropriate conditions to control noise and protect human health from contaminated land.</p>	

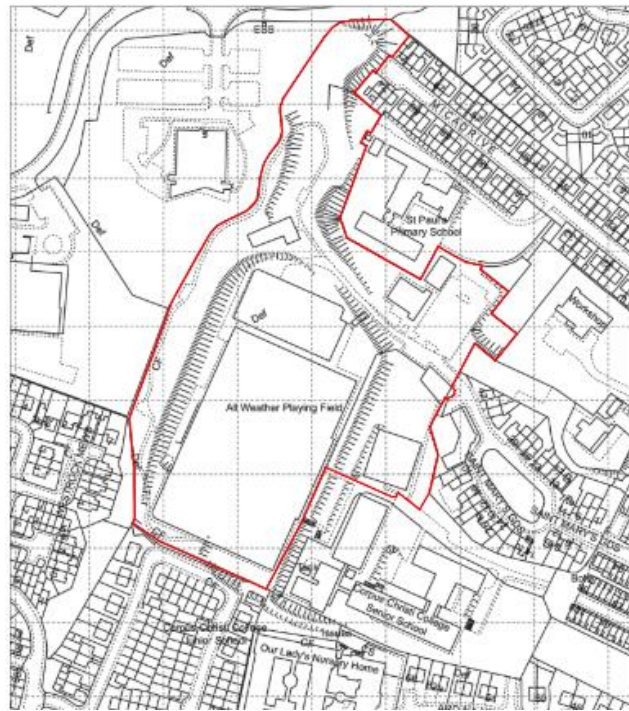
Recommendation

Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.

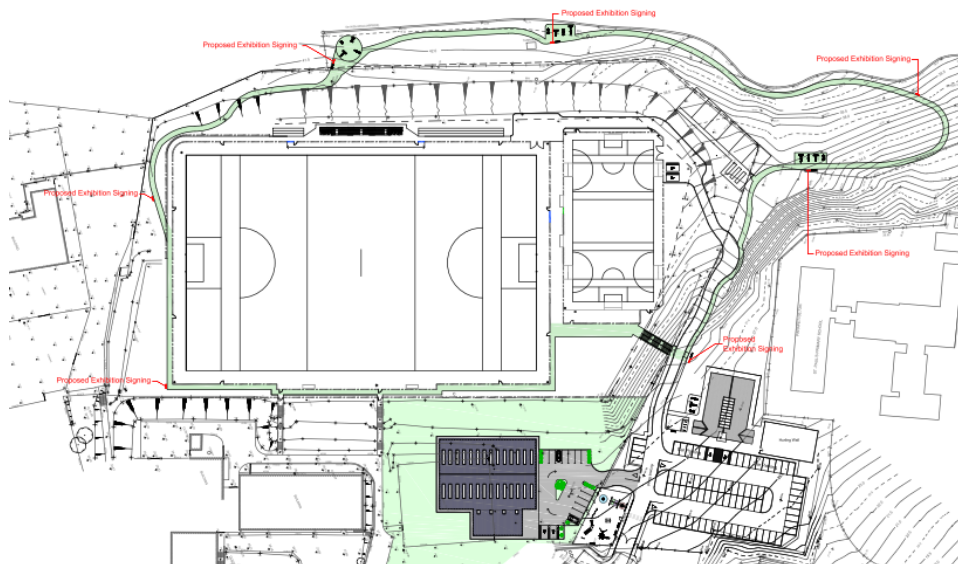
Delegated authority is sought for the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that arise, including those raised in the further consultation responses from Environmental Health, provided that the issues are not substantive.

DRAWINGS AND IMAGERY

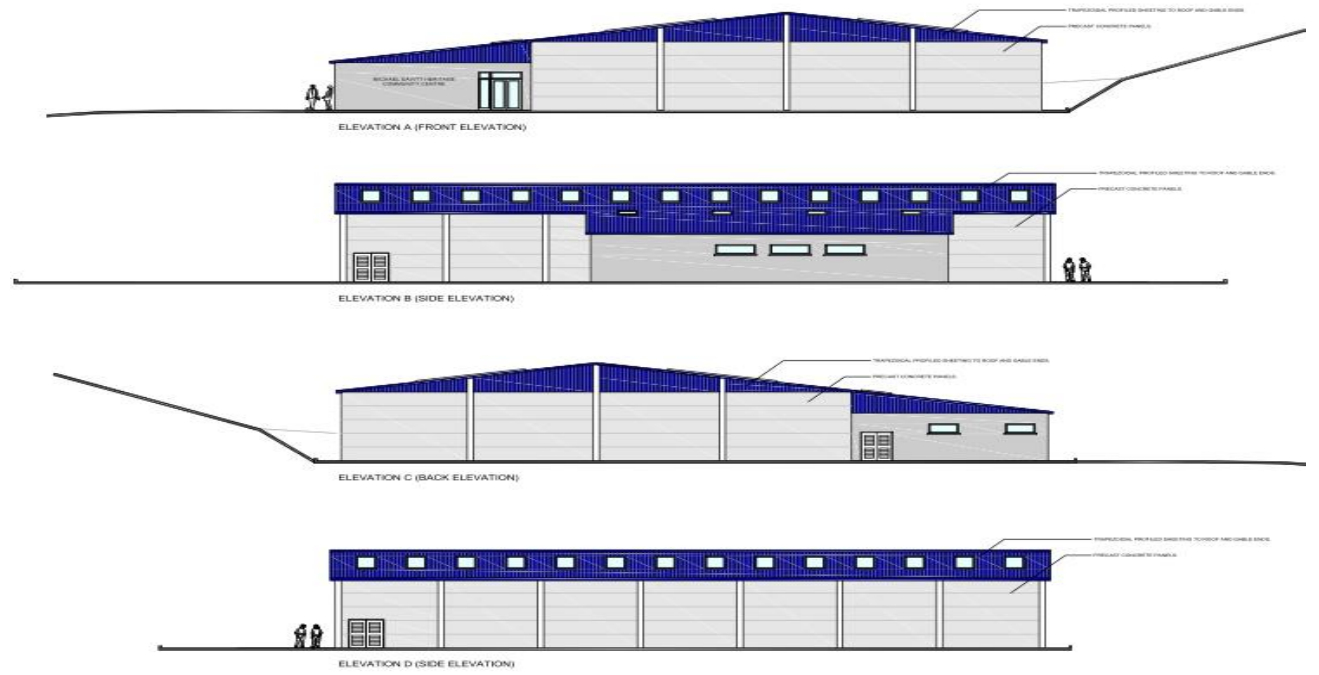
Site Location Plan:



Proposed Site Plan:



Proposed Elevations:



Proposed Floorplans:



<p>1.0</p> <p>1.1</p> <p>1.2</p>	<p>Characteristics of the Site and Area</p> <p>This application relates to land north of the Corpus Christi College and to the east of the Michael Davitt GAC Club. To the north of the site is a children’s playground while to the east are apartments and dwellings at St Mary’s Gardens. Access is from the Michael Davitt GAC Club which is accessed from St Mary’s Gardens.</p> <p>Description of Proposed Development</p> <p>The application seeks full planning permission for a heritage and community centre. The proposed building measures 7.2m in height and includes a multi use hall and exhibition space. The proposal includes a new car park as well as exhibition signing on an existing walking trail along the boundary of the GAC Club.</p>
<p>2.0</p> <p>2.1</p>	<p>RELEVANT PLANNING HISTORY</p> <p>Location: Land between Corpus Christi College and Mica Drive Application Number: Z/2013/1198/F Decision: Permission Granted Decision Date: 17 September 2015 Proposal: Erection of new changing rooms, 3G multiuse playing area and grass pitch (both with floodlighting, goalposts, ball stops and fencing) woodland walkway, play area, car parking and creation of new vehicular access from St Mary's Gardens (Amended description).</p> <p>Location: Land between Corpus Christi College and Mica Drive Application Number: LA04/2016/0478/F Decision: Permission Granted Decision Date: 20 October 2016 Proposal: Erection of hurling wall (with associated floodlighting) 7 No. allotments and spectator stand (to main grass pitch) (Further information submitted)</p> <p>Location: Land North of Former Corpus Christi College, Accessed off Michael Davitts GAC Grounds, Via St Mary's Gardens Application Number: LA04/2023/2284/PAN Decision: Proposal of Application Notice is Acceptable Decision Date: 10 January 2023 Proposal: Proposed Michael Davitt Heritage & Community Centre, Reception, Toilets and associated Car Parking with Exhibition Signage to existing Trim Trail.</p>
<p>3.0</p> <p>3.1</p>	<p>PLANNING POLICY</p> <p>Development Plan – operational policies</p> <p><u>Belfast Local Development Plan, Plan Strategy 2035</u></p> <p>Policy SP1A – managing growth and supporting infrastructure delivery Policy SP2 – sustainable development Policy SP3 – improving health and wellbeing Policy SP5 – positive placemaking Policy SP6 – environmental resilience Policy SP7 – connectivity</p>

	<p>Policy SD2 – Settlement Areas</p> <p>C11- Community Infrastructure</p> <p>Policy DES1 – Principles of urban design Policy DES2 – Masterplanning approach for major development</p> <p>Policy TRAN1 – Active travel – walking and cycling Policy TRAN2 – Creating an accessible environment Policy TRAN4 – Travel plan Policy TRAN6 – Access to public roads Policy TRAN8 – Car parking and servicing arrangements</p> <p>Policy ENV1 – Environmental quality Policy ENV2 – Mitigating environmental change Policy ENV3 – Adapting to environmental change Policy ENV4 – Flood Risk Policy ENV5 – Sustainable drainage systems (SuDS)</p> <p>Policy HC1 – Promoting healthy communities Policy GB1 – Green and blue infrastructure network Policy TRE1 – Trees Policy NH1 – Protection of natural heritage resources</p> <p><u>Supplementary Planning Guidance</u></p> <p>Placemaking and Urban Design Masterplanning approach for Major developments Sustainable Urban Drainage Systems Transportation</p> <p>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)</p> <p>Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)</p> <p>Other Material Considerations <i>Belfast Agenda</i> (Community Plan)</p>
<p>4.0</p> <p>4.1</p>	<p>CONSULTATIONS AND REPRESENTATIONS</p> <p><u>Statutory Consultees</u></p> <p>DfI Roads – no objection, recommends conditions.</p> <p>NI Water – no objection</p> <p><u>Non-Statutory Consultees</u></p> <p>Environmental Health- awaiting final response, further information required in relation to noise and contaminated land.</p>

4.2	<p><u>Representations</u></p> <p>The application has been advertised in the newspaper and neighbours notified.</p> <p>No objections were received.</p>
5.0	<p>PLANNING ASSESSMENT</p> <p>Main Issues</p> <p>5.1 The main issues relevant to consideration of the application are set out below.</p> <ul style="list-style-type: none"> • Principle of the proposal • Design, Massing and Scale • Impact on Amenity • Environmental Protection • Climate change • Pre Application Community Consultation <p>Development Plan Context</p> <p>5.2 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.</p> <p>5.3 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.</p> <p>5.4 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 (“Departmental Development Plan”) remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p><u>Operational Polices</u></p> <p>5.5 The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed above.</p> <p><u>Proposals Maps</u></p> <p>5.6 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</p>

	advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.
5.7	Belfast Urban Area Plan 2001 – the site is un-zoned “white land” within the Development Limit.
5.8	Belfast Metropolitan Area Plan 2015 (2004) – the site is within the Malone Conservation Area Sub Area C: Derryvolgie/Windsor within the Development Limit.
5.9	Belfast Metropolitan Area Plan 2015 (v2014) – the site is within the Malone Conservation Area Sub Area C: Derryvolgie/Windsor within the Development Limit.
5.10	<p><u>Principle of the proposal</u></p> <p>Policy CI states that 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.</p>
5.11	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.
5.12	The proposed multi use will be used as an extended sports facility by the GAC Club and local community. Under Policy OS5 Planning permission will be granted for the provision of extended intensive sports facilities where these are located at appropriate and accessible locations within settlement limits. There are two criteria which must be met (e) (f) in regard to amenity and the road network, these will be assessed in the relevant sections of this report.
5.13	The proposal involves the erection of a new building located within close proximity of the existing GAC. The location is on what was previously a gravel hockey pitch for use of the former school. The proposed building include a multi use sports hall and exhibition space. In addition the boundary of the site is a walking trail and exhibition signage is to be erected at various points along this trail. The proposal is situated close to the GAC which is an appropriate and accessible location in accordance with policies C11 and OS5.
	<p><u>Design, Massing and Scale</u></p>
5.14	The proposed building is located on land situated between the apartments/dwellings on St Marys Gardens and the existing GAC pitch. The level of the site is below the existing pitch and higher than the apartments/dwellings on St Marys Gardens. The proposed building is considered to integrate within the local context and the existing GAC. It is a modest scale and massing which ensures it does not dominate the residential uses nearby. The materials are to be precast concrete panels and profiled sheeting to the roof which are acceptable within the context of a sports club.
	<p><u>Impact on amenity</u></p>
5.15	Policy CI states that proposals for community infrastructure shall ensure there is no unacceptable impact on residential amenity. Furthermore Policy OS5 provides further detail specific to sports facilities in that there is no unacceptable impact on the amenities of people living nearby by reason of the sitting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated. The proposed building is sited approximately 17m at the nearest point

	<p>from the apartment block to the east. While the proposed building is situated on a higher level than the apartments the height of the building, separation distance and orientation of the apartments ensures that the building will not dominate views. The orientation also ensures there will not be an unacceptable level of overshadowing, any impact would only be in late evenings in the summer months. In terms of noise, a Noise Impact Assessment has been submitted and a formal Environmental Health response is outstanding. Environmental Health have advised that further information is required to inform conditions to protect residential amenity but the principle is acceptable.</p>
5.16	<p><u>Access and Transport</u></p> <p>The proposed community building includes a car park accessed from an existing access point at St Marys Gardens. Policy OS5 states sports facilities shall ensure the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access, car parking, drainage and waste disposal. The proposed car park provides 14 additional spaces with an existing car park within close proximity. DFI Roads were consulted and had no objections.</p>
5.17	<p><u>Environmental protection</u></p> <p>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. The proposed development has been assessed by Environmental Health in terms of contaminated land, air quality, noise and odour impacts.</p>
5.18	<p><u>Contaminated land and Noise</u></p> <p>A response is outstanding from Environmental Health following the submission of a Noise Impact Assessment and Generic Quantitative Risk Assessment. Environmental Health have advised there are currently issues with both reports and further information is required. The proposal however, would not be deemed unacceptable in principle and the submission of further information will be able to inform appropriate conditions to control noise and protect human health from contaminated land.</p>
5.19	<p><u>Climate Change</u></p> <p>A Climate Change Statement in relation to policies ENV 2,3 and 5 has submitted but does not include any specific measures in relation to this proposal. Therefore a condition will be attached ensuring no development will commence until specific climate change measures to mitigate and/or adapt to climate change have been submitted.</p>
5.20	<p><u>Pre-Application Community Consultation</u></p> <p>For applications for Major development, there is a legislative requirement for applicants to consult the community in advance of submitting the application.</p>
5.21	<p>Applicants are required to submit to the council a 'Proposal of Application Notice' (PAN) in advance of making the application, which sets out the proposals for the pre-community consultation. A PAN was submitted in December 2022 (LA04/2023/2284/PAN) and confirmed by the Council to be acceptable.</p>
5.22	<p>The applicant is further required to prepare a Pre-Application Community Consultation report (PACC) to accompany the planning application. A PACC Report was submitted</p>

5.23	<p>with the application, which describes the engagement process and feedback received. A public event was held and dedicated community consultation website setup. A total of 35 feedback forms were completed and 583 online survey responses. No concerns were raised.</p> <p>The PACC report is considered compliant with the legislative requirements.</p>
<p>6.0</p> <p>6.1</p> <p>6.2</p>	<p>Recommendation</p> <p>Having regard to the Development Plan and material considerations, it is recommended that planning permission is granted subject to conditions.</p> <p>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, including those raised in the further consultation responses from Environmental Health, provided that the issues are not substantive.</p>