

**Development Management Officer Report
Committee Application**

Summary	
Committee Meeting Date: 17th September 2024	
Application ID: LA04/2024/0470/F	
Proposal: Development of a community garden for sustainable food growth and education purposes	Location: Lower Botanical Gardens, Belfast, BT7 1LP
Recommendation: Approval	Referral Route: BCC application
Applicant Name and Address: Mr Alan John Wardle Belfast City Council Room 217 Belfast City Hall Belfast BT1 5GS	Agent Name and Address: Mr Alan John Wardle Belfast City Council Room 217 Belfast City Hall Belfast BT1 5GS
Date Valid: 15 th March 2024	
Target Date: 30 th August 2024	
Contact Officer: Ciara Reville, Principal Planning Officer.	
<p>Executive Summary:</p> <p>The application seeks full planning permission to develop a community garden for sustainable food growth and education purposes.</p> <p>The key issues for the assessment of the application include:</p> <ul style="list-style-type: none"> • Principle of development • Impact on amenity • Impact on existing trees and vegetation • Impact on Historic Assets • Health and wellbeing • Community Cohesion <p>The application site is located on the lower part of Botanic Gardens. Botanic Gardens is classed as a Grade A Historic Park/Garden.</p> <p>Within the development the following is proposed;</p> <ol style="list-style-type: none"> 1. 30ft Recycled Shipping Container x2 2. Decked Ramp 3. Solar Panels 4. Wheelchair accessible drive-in bed 5. Planting beds 6. Hexagonal crazy paved area – recycled paving/brick/tile 7. Seating made from cable reels 8. Polytunnel (6m in width, 3m in height and 14m in length) 9. Standing work Bench 10. Open demonstration area 11. Accessible composting toilets x2 	

The proposal is approximately 1626 square meters and will have a 1 metre high hedge along the boundary.

The proposal is considered to comply with the SPPS, Policies LC1, Lc1C, HC1 CI1 and SP4 of the Belfast Local Development Plan Strategy 2035 and Section 91(2) of the Planning Act (Northern Ireland) 2011.

No third-party representations have been received.

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.

Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.

Officer Report

1.0

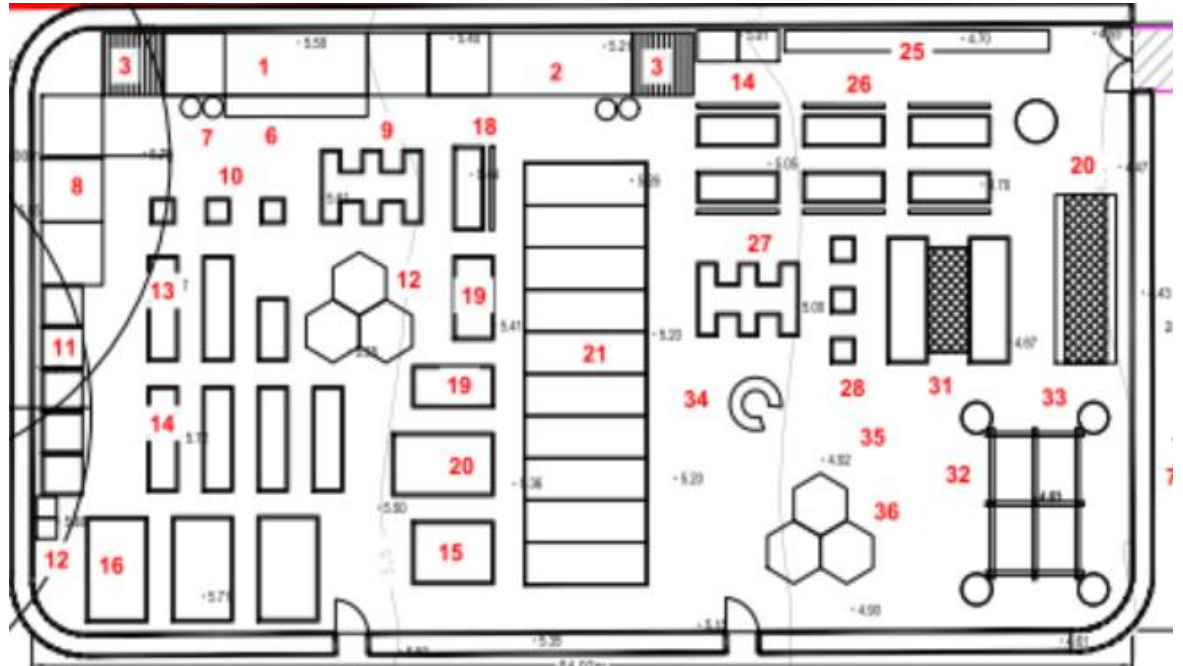
Drawings

1.2

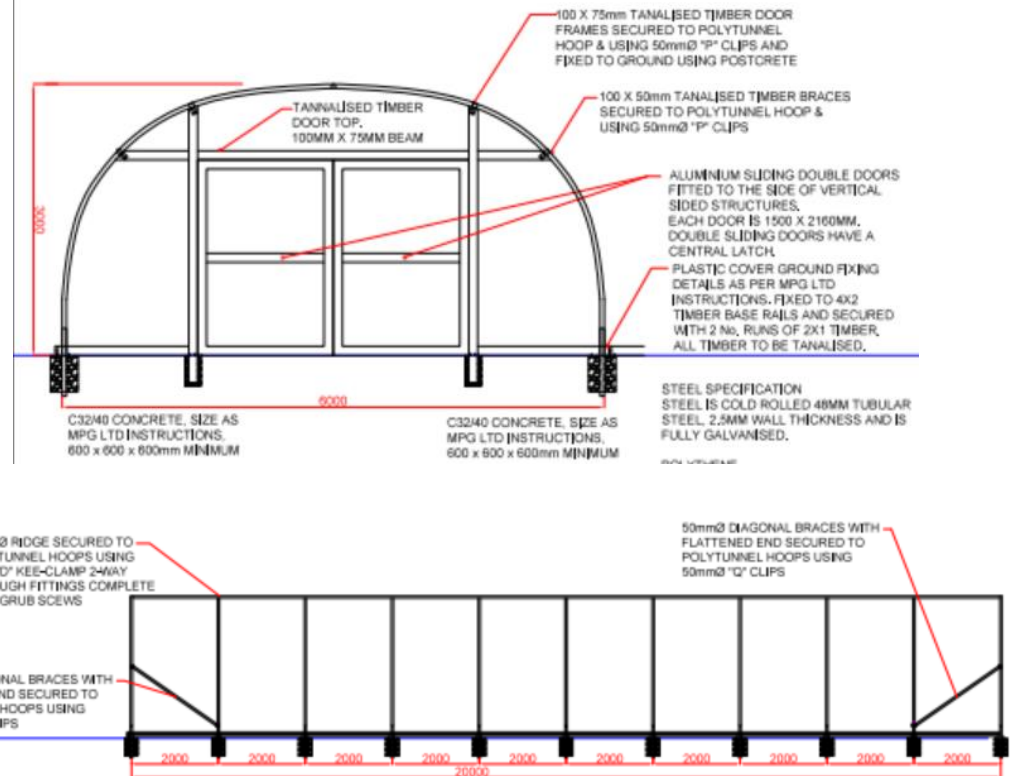


1.3

1. 30R RECYCLED CONTAINER: 10T TOOL SHED, 20R PACKING, DRYING STORAGE.
2. 30R RECYCLED CONTAINER: 10T OFFICE, 20R TEABREAK ROOM.
3. DECKED RAMP
4. SOLAR PANELS ON TOP OF CONBTAINERS
5. ESPALIER FRUIT TREES
6. STACKED BARRELS WATER HARVEST
7. 1m HEDGE
8. 8 ROOFED AGGREGATE STORAGE
9. WHEELCHAIR ACCESSIBLE BED 5x3.5m WITH 1m CUTOUTS
10. 1x1x1m TREE BOX
11. COVERED COMPOSTING SYSTEM
12. BOKASHI BINS
13. 1.5x5x0.9m BED
14. 1.5x5x0.875m BED
15. 3x4x0.45m BED
16. 3x5x0.45m BED
17. HEXAGONAL CRAZY PAVED AREA
18. 1.5x4x0.9m BED/BENCH
19. 2x4x0.45m BED
20. 1x6x0.25 SAND BED FOR HARDENING CROPS
21. 20x6m POLYTUNNEL WITH GUTTERS
22. IBC CONTAINERS FEEDING GRAVITY SYSTEM FOR POLYTUNNEL BEDS
23. SUGGESTED POLYTUNNEL LAYOUT BEDS EITHER SIDE, BEDS CENTRALLY, POTTING BENCHES, 2 WORK BENCHES
24. ACCESSIBLE COMPOSTING TOILETS x 2
25. VERTICAL GROWING DISPLAY / ESPALIER FRUIT TREES
26. 1.5x4x0.9 BED/BENCH
27. WHEELCHAIR ACCESSIBLE BED 5x3.5m WITH 1m CUTOUTS
28. 1.2x1.2x1.2m BOX BED
29. WILDFLOWER CIRCLES
30. 3x12m ARCHWAY PLANTED WITH CLIMBERS
31. SQUASH BEDS 2x6x0.45m WITH HOOPED FRAME
32. PERGOLA WITH MECHANISED CANVAS ROOF, TRELIS WITH CLIMBERS
33. CORNER GROWING BEDS LINKED TO TRELIS
34. CIRCULAR GROWING BED MADE WITH RECYCLED CATTLE FEEDER & CORRUGATED TIN
35. OPEN DEMONSTRATION AREA
36. HEXAGONAL CRAZY PAVED AREA



1.4



2.0	Characteristics of the Site and Area
2.1	The site is located within the grounds of Botanic Gardens, the lawns within the garden hosts several memorials to the history, people and events associated with the city. The application site is classed as a Grade A Historic Park/Garden.
2.2	Botanic Gardens is a designated LLPA, meaning this area is of great amenity value, landscape quality or local significance and therefore worthy of protection from undesirable or damaging development.
2.3	The application site is located in lower Botanic Gardens to the rear of the PEC, adjacent to the Stranmillis embankment and on grassland previously used as informal parkland.
3.0	Description of Proposal
3.1	The application is seeking planning permission to develop a community garden for sustainable food growth and education purposes.
3.2	The proposed garden will serve the community by providing an inclusive area for all, it will include two recycled shipping containers, a poly tunnel for fruit and vegetable growth, planting beds, wheelchair accessible drive-in planting beds, a demonstration area, standing work benches, solar panels to promote renewable energy, covered composting system, compostable toilets, recycled seating and paving area. The boundary of the proposed garden will be a 1-meter-high hedge. The overall size of the community garden will be 1,626m ²
3.3	The community garden will help create opportunities for recreation, exercise, therapy and health. The proposal is designed to cater for people with a range of mobility needs and to ensure everyone can get involved. The introduction of food growth will positively impact attendees, as it will educate people on how to grow and maintain their own fruits and vegetables at home.
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 (DfI)
4.5	Relevant Planning History No planning history is relevant to the proposal.

5.0	Consultations and Representations
5.1	<p>Non-Statutory Consultations</p> <p>Belfast City Council Trees – No objection, subject to conditions.</p> <p>NIEA – No comment</p>
5.2	<p>Representations</p> <p>The application was advertised in the local press on the Friday 16th June 2024 and neighbour notified. To date no representations have been received.</p>
6.0	PLANNING ASSESSMENT
	Development Plan Context
6.1	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	The Development Plan is the Belfast Local Development Plan, which replaces the Belfast Urban Area Plan 2001 as the statutory plan for the city. The Belfast LDP is in two parts: Part 1 is the Plan Strategy, which was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals map for Belfast and has yet to be published.
6.4	Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed in the report.
6.5	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.
6.6	<p>Relevant Planning Policies</p> <p>The following policies in the Plan Strategy are relevant to consideration of the application:</p>
6.7	<p>LC1 – Landscapes</p> <p>Lc1C – LLPAs</p> <p>HC1 – Promoting Healthy Communities</p> <p>SP4 – Community Cohesion and Good Relations</p> <p>CI1 – Community Infrastructures</p> <p>TRAN8 - Car parking and Servicing Arrangements</p>

6.8

The key issues are in assessing the application are:

- Principle of development
- Impact on amenity
- Impact on existing trees and vegetation
- Impact on Historic Assets
- Health and wellbeing
- Community Cohesion
- Accessibility

Principle of Development

The site is located within a Local Landscape Policy Area (LLPA). The proposal is therefore assessed against LC1.

Policy LC1 (Landscape) seeks to protect and, where appropriate, restore or improve the quality and amenity of the surrounding landscape of new developments. The council have adopted a precautionary approach in assessing development proposals in any **designated** landscape. The council give careful consideration to the following criteria when assessing these types of applications;

- A. The protection and enhancement of the landscape and visual character of the area;
- B. The protection of built (architectural and archaeological), nature and cultural features, their views, and settings;
- C. The sensitivity of the landscape and its capacity to accommodate development (including cumulatively) without adversely impacting on the landscape character and visual amenity; and
- D. Mitigation measures, including the retention and protection of existing trees and other vegetation and planting of new trees and vegetation.

It also states within policy LC1 that planning permission will only be granted where it is of an appropriate design and scale for the locality and that the following criteria is met;

- E. The siting of the proposal is sympathetic to the special character of the area;
- F. It respects or conserves built heritage features of importance to the character and appearance of the landscape;
- G. There is no adverse impact on natural heritage and biodiversity; and
- H. The proposal respects, 1. Local architectural styles and patterns; Traditional boundaries details, by retaining features such as hedges, walls, trees, and gates; 3. Local materials, design, and colour.

The council have assessed the proposed scheme and consider it complies with criteria A-H set out within Policy LC1.

The proposed community garden is located on the lower part of Botanic Gardens. This area is a designated Local Landscape Policy Area (LLPA). These consist of those features and areas within, and adjoining settlements considered to be of greatest amenity value, landscape quality or local significance and therefore worthy of protection from undesirable or damaging development.

Policy LC1C is also relevant and states that in addition to complying with the requirements set out in LC1, development proposals that have significant adverse impact on the amenity, character, environmental quality, or natural, built and cultural heritage features of LLPAs will not be supported. The community garden is of good design and does not cause any adverse impact to Botanic Gardens or the surrounding area.

The Belfast LDP polices for landscapes aim to protect and enhance the quality of the environment, including the scenic and amenity value, and to preserve the unique landscape setting of Belfast. In this regard, all development should ensure that the quality of the landscape is protected and/ or enhanced. The council consider that the proposal will enhance this area of the Botanic Garden.

Impact on amenity

The proposal is for the development of a community garden for sustainable food growth and educational purposes. By reason of its scale, massing and design, it is appropriate to the appearance of the existing land and will not detract from the character of the area. The proposal will not harm the amenity of adjacent and nearby land by way of noise, general disturbance or visual dominance.

Impact on existing trees and vegetation

The application site has several trees that may be impacted by this development. BCC Trees Officer has confirmed that the proposal will not impact in the loss of any mature trees or landscaping features which offer high amenity value. Subject to conditions ensuring the landscape buffer along the Sandhurst Drive boundary is protected the Trees Officer offers no objection to the proposal.

Impact on historic assets

Botanic Gardens is classed as Grade A Historic Park/Garden, meaning it is vital that the character and appearance of the area is protected. The council will therefore be granting the community garden with a 3-year temporary permission to ensure that the gardens character and appearance is preserved.

Health and wellbeing

The council 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 to improve health and promote healthy lifestyles. Policy HC1 (Promoting Healthy Communities) aligns with the Belfast Agenda, which places an emphasis on healthy lifestyles, physical and emotional wellbeing, reducing health inequalities and better services for those who suffer poor health.

Policy HC1 states planning permission will be granted for proposals that help to sustain and improve neighbourhoods in all parts of the city. The community garden will be used to bring communities together by way of its accessible design, inclusive demonstrations, and educational studies, therefore complying with Policy HC1.

Community cohesion

Good relations are a key factor in improving the quality of everyone in a city. Belfast has been historically known for high levels of neighbourhood segregation. The introduction of the community garden will positively impact citizens within Belfast, as it will offer an inclusive space for everyone. Policy SP4 (Community cohesion and good relations) seeks to support development that maximises opportunities to build strong cohesive communities, and that makes a positive contribution to good relations. The introduction of the community garden will allow different communities to attend classes, demonstrations and events in the garden which will promote good relations and community cohesion between neighbourhoods.

	<p>The council seek to ensure that all new developments aid the needs of the community. Policy CI1 (Community infrastructures) seeks 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. The proposal will provide an outdoor community facility which the council believe will meet the needs of the surrounding community and neighbourhoods.</p> <p>Accessibility</p> <p>The site is highly accessible and benefits from the transport links along Stranmillis Road and Stranmillis Embankment, therefore the council consider the proposal has met policy TRAN8 (Car parking and servicing arrangements) of the Belfast Local Development Plan. The closest car park to Botanic Gardens is the “Embankment Car Park” and is approximately a 5-minute walk to Botanic Gardens. This will ensure that people travelling using private modes of transport have an accessible location to park their vehicle.</p>
7.0	Summary and Recommendation
7.1	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.
7.2	The proposal is considered to comply with the SPPS, Policies LC1, Lc1C, HC1 CI1 and SP4 of the Belfast Local Development Plan Strategy 2035 and Section 91(2) of the Planning Act (Northern Ireland) 2011, Therefore deeming the proposal acceptable.
7.3	Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise including representations which may occur during the statutory advertisement period and up until the point of the issuing of the decision.
<p>DRAFT CONDITIONS:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be begun within five years from the date of this permission. Once commenced the development must be removed and the land restored on or before 3 years. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. All trees and planting within the site shall be retained unless shown on the approved drawings as being removed. Any retained trees or planting indicated on the approved drawings which become seriously damaged, diseased, or dying, shall be replaced during the next planting season (October to March inclusive) with other trees or plants of a location, species and size to be first approved in writing by the Council. Reason: In the interests of visual amenity. 3. Prior to any work commencing all protective barriers (fencing) and ground protection is to be erected or installed as specified in British Standard 5837: 2012 (section 6.2) on any trees / hedging to be retained within the site and must be in place before any materials or machinery are brought onto site for demolition, development, or soil stripping. Protective fencing must remain in place until all work is completed, and all associated materials and equipment are removed from site. 	

Reason: To ensure the protection of, and to ensure the continuity of amenity afforded by any existing trees to be retained within the site and on adjacent lands.

4. No storage of materials, parking of vehicles or plant, temporary buildings, sheds, offices or fires within the RPA of trees within the site and adjacent lands during the construction period.

Reason: To avoid compaction within the RPA.

DRAFT INFORMATIVES:

1. This decision relates to the following approved drawing numbers: 01,02,03,05 and 06 (24/04/24 and 12/08/24)

ANNEX	
Date Valid	17/05/2024
Date First Advertised	14/06/2024
Date Last Advertised	N/A
Details of Neighbour Notification (all addresses)	