

**Development Management Officer Report  
Committee Application**

<b>Summary</b>	
<b>Committee Meeting Date: 12<sup>th</sup> November 2024</b>	
<b>Application ID:</b> LA04/2024/1486/F	
<b>Proposal:</b> Community garden consisting of level changes, paladin fencing, landscaping, raised planter beds, polytunnels, container/storage unit, picnic tables and associated works.	<b>Location:</b> Green space adjacent to Highfield Community Centre.
<b>Recommendation:</b> Approval	<b>Referral Route:</b> BCC are applicant
<b>Applicant Name and Address:</b> Michael Small Cecil Ward Building 4-10 Linenhall Street Belfast BT2 8BP	<b>Agent Name and Address:</b> Michael Small Cecil Ward Building 4-10 Linenhall Street Belfast BT2 8BP
<b>Date Valid:</b> 28 <sup>th</sup> August 2024	
<b>Target Date:</b> 28 <sup>th</sup> November 2024	
<b>Contact Officer:</b> Lisa Walshe, Principal Planning Officer	
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission to develop a community garden consisting of level changes, paladin fencing, landscaping, raised planter beds, polytunnels, container/storage unit, picnic tables and associated works.</p> <p>The key issues for the assessment of the application include:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Impact on amenity</li> <li>• Impact on existing trees and vegetation</li> <li>• Health and wellbeing</li> <li>• Community Cohesion</li> <li>• Accessibility</li> </ul> <p>The application site, Highfield Community Centre, is located in High Green, off the West Circular Road. The application relates specifically to the green space to the rear (west) of the Community Centre.</p> <p>Within the development the following is proposed:</p> <ol style="list-style-type: none"> <li>1. Rainwater Butts</li> <li>2. 8m x 3m polytunnel</li> <li>3. 2No. Picnic tables</li> <li>4. Planting including mini orchard, native hedgerows, native trees</li> <li>5. 2.4m x 1.2m x 0.4m timber planters</li> </ol>	

6. 2.4m Paladin Fencing, 2.5m pedestrian gate
7. Compost area
8. 3m x 2.4m storage unit, 3m x 2.4m covered workspace, 6m x 2.4m steel container

The proposal is considered to comply with the SPPS, Policies LC1, 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**

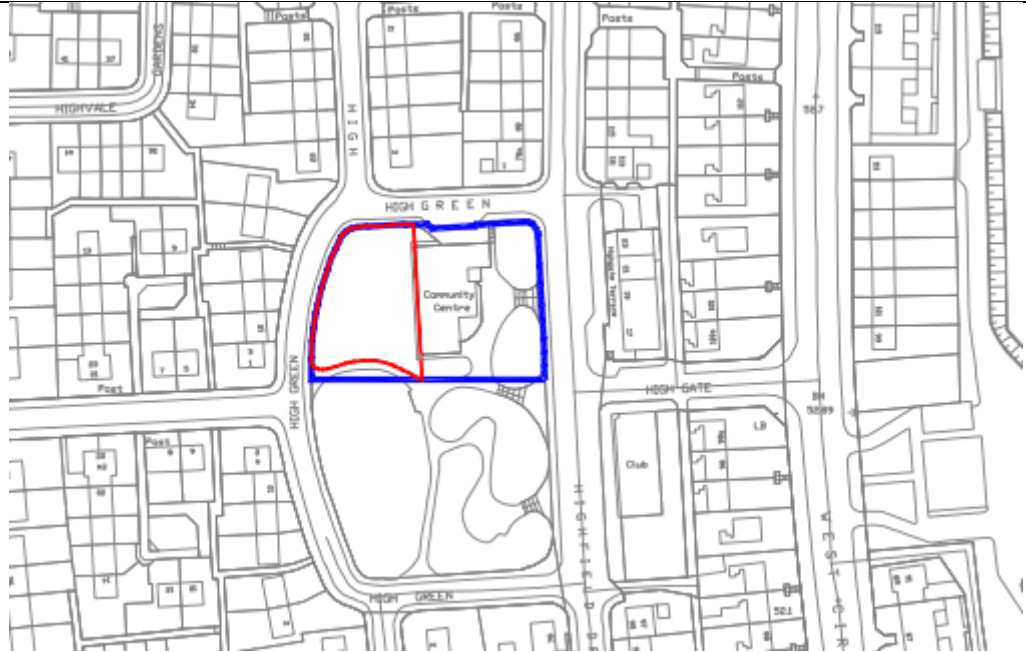
Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is granted subject to conditions.

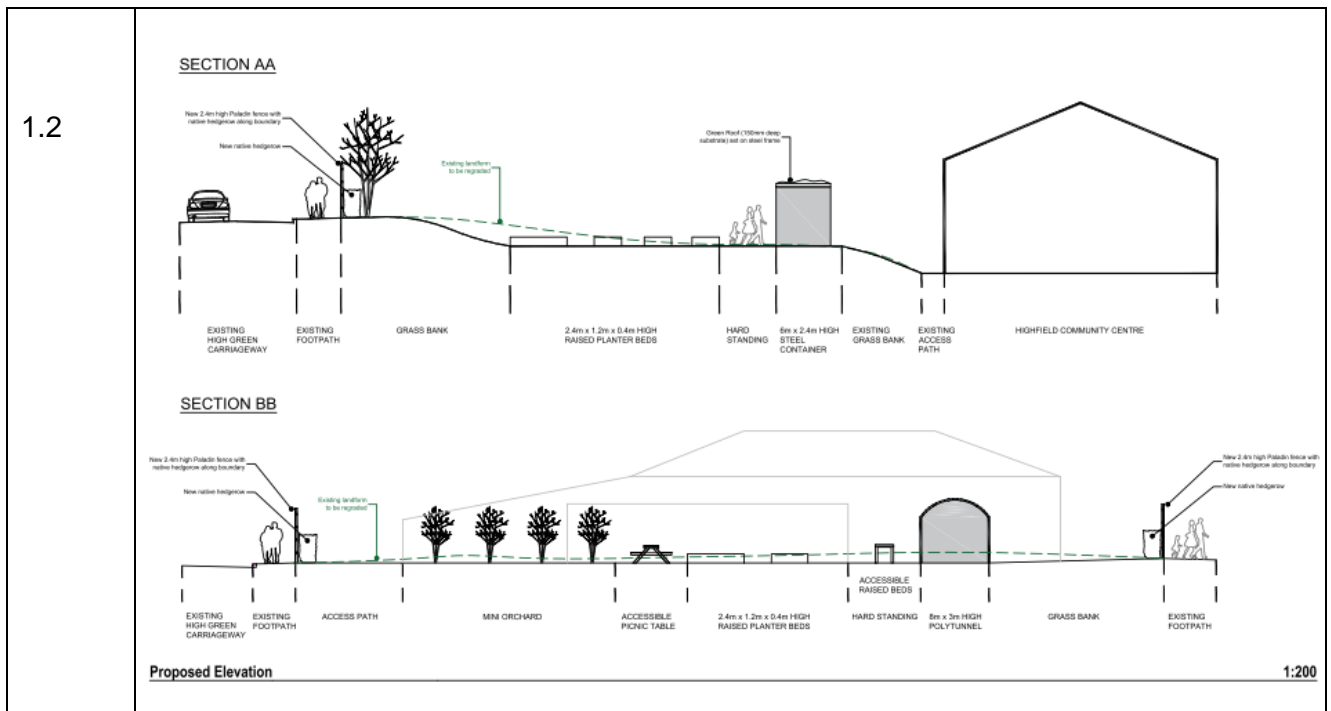
Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.

# Officer Report

## 1.0 Drawings – Site Location, Block Plan and Sections

1.1





**2.0 Characteristics of the Site and Area**

- 2.1 The site is located within the grounds of Highfield Community Centre.
- 2.2 Highfield Community centre sits between the Ballygomartin Road and the West Circular Road. The scheme is a proposed upgrade to its existing green space which will revitalise the area and provide opportunities for the community.
- 2.3 The proposal states that existing boundary trees will be retained and protected as part of the proposal. The proposal indicates the planting of 22 native trees along with proposed boundary hedging within the site, which is welcomed.

**3.0 Description of Proposal**

- 3.1 The application is seeking planning permission to develop a community garden.
- 3.2 The proposed garden will serve the community by providing Rainwater Butts, 8m x 3m polytunnel, picnic tables, planting including mini orchard, native hedgerows, native trees, timber planters, Paladin Fencing, 2.5m pedestrian gate, compost area and storage units.

**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)

4.5	<p>Belfast Agenda Creating Places (DfI)</p> <p><b>Relevant Planning History</b> There is no relevant planning history to the proposal.</p>
<b>5.0</b>	<b>Consultations and Representations</b>
5.1	<p><b>Non-Statutory Consultations</b> Belfast City Council Trees – No objection, subject to conditions.</p>
5.2	<p><b>Representations</b> The application was advertised in the local press on Friday 20th September 2024 and neighbour notified. To date no representations have been received.</p>
<b>6.0</b>	<b>PLANNING ASSESSMENT</b>
	<b>Development Plan Context</b>
6.1	<p>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>
6.2	<p>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>
6.3	<p>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.</p>
6.4	<p><b>Operational policies</b> – 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><b>Proposals Maps</b> – 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><b>Relevant Planning Policies</b></p> <p>The following policies in the Plan Strategy are relevant to consideration of the application:</p> <p>LC1 – Landscape  HC1 – Promoting Healthy Communities  SP4 – Community Cohesion and Good Relations  CI1 – Community Infrastructures  TRAN8 - Car parking and Servicing Arrangements</p>

<p>6.7</p>	<p>The key issues are in assessing the application are:</p> <ul style="list-style-type: none"> <li>• Principle of development</li> <li>• Impact on amenity</li> <li>• Impact on existing trees and vegetation</li> <li>• Health and wellbeing</li> <li>• Community Cohesion</li> </ul> <p><b>Principle of Development</b></p> <p>The site is within the development limits of Belfast but does not have any specific designations. The Council are of the opinion that the scheme fosters the protection and enhancement of the landscape and visual character of the area, without adversely impacting on the landscape character and visual amenity; and provides appropriate mitigation measures, including the retention and protection of existing trees and other vegetation and planting of new trees and vegetation.</p> <p>Much of the scheme would not be classed as operational development and would therefore be permitted development.</p> <p>The level changes are considered to be acceptable and will make the green space more accessible for all by removing the slope on the green space. The siting of the proposal is sympathetic to the special character of the area and there is no adverse impact on natural heritage and biodiversity.</p> <p>The proposal is considered to consist of features with good amenity value, benefitting the local community. The community garden is of good design and does not cause any adverse impact to High Green or the surrounding area.</p> <p>The Belfast LDP policies 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 Highfield.</p>
<p>6.8</p>	<p><b>Impact on amenity</b></p> <p>The proposal is for the development of a community garden. 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.</p>
<p>6.9</p>	<p><b>Impact on existing trees and vegetation</b></p> <p>The application site has several trees that will be retained. 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 is protected the Trees Officer offers no objection to the proposal.</p>
<p>6.10</p>	<p><b>Health and wellbeing</b></p> <p>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.</p>

6.11	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.
6.12	<p><b>Community cohesion</b></p> <p>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>
6.13	The council seek to ensure that all new developments aid the needs of the community. Policy C11 (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.
<b>7.0</b>	<b>Summary and Recommendation</b>
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 C11 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><b>DRAFT CONDITIONS:</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> </ol>	

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.