



Belfast City Council

Report to:	Town Planning Committee
Subject:	Consideration of a Planning application having regard to Belfast City Council's Amusement Permit Policy
Date:	23 January 2014
Reporting Officer:	Trevor Martin, Head of Building Control, Ext: 2450
Contact Officer:	Stephen Hewitt, Building Control Manager, Ext: 2435

1	Relevant Background Information
1.1	Members will recall that, at your meeting of 16 May 2013, the Head of Building Control outlined that an Amusement Permit Policy had been ratified by Council on 1 May 2013. The overall aim of the Policy is to provide guidance for Members, Officers, applicants and the general public to ensure greater clarity, transparency and consistency in the decision-making process when considering applications for amusement permits.
1.2	Members are reminded that the policy contains five criteria for assessing the suitability of a location for a proposed amusement arcade, viz., <ul style="list-style-type: none">• Impact on retail vitality and viability of Belfast• Cumulative build-up of amusement arcades in a particular location• Impact on the image and profile of Belfast• Proximity to residential use• Proximity to schools, youth centres and residential institutions
1.3	Whilst the policy is intended primarily to provide a guide for assessing applications for amusement permits by the Licensing Committee because of its inter-relationship with planning policy Members agreed to establish the following process: <ul style="list-style-type: none">• the Building Control Service will report to the Town Planning Committee when a planning application for an amusement arcade is to be considered; and• the Town Planning Committee will include in its response to the Planning Service on any planning application for an amusement arcade reference

1.4	<p>to the Amusement Permit Policy and whether or not the application complies with the Policy.</p> <p>Members are also advised that the Policy, as agreed through formal consultation with DOE (NI) Planning, is now a material consideration for Planning Service in determining planning applications for amusement arcades in Belfast.</p>
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2	Key Issues
2.1	<p>An application for planning permission has been received:</p> <p style="padding-left: 40px;">Planning reference Z/2013/1222/F</p> <p style="padding-left: 40px;">Location 25-41 Botanic Avenue, Belfast, BT7 1JG</p> <p style="padding-left: 40px;">Proposal Proposed change of use from bingo club to amusement arcade.</p>
2.2	<p>The Building Control Service has assessed the application for the suitability of the location of the proposed amusement arcade based on the criteria outlined in the Amusement Permit Policy.</p>
2.3	<p>Comments regarding the application have been returned to Planning via the Health and Environmental Services Planning consultation response process and also through a newly established consultation procedure between Planning and the Building Control Service.</p>
2.4	<p>Assessing the application against each of the suitability criteria in turn the following comments have been made to Planning:</p>
2.5	<p>(a) Retail vibrancy and regeneration of Belfast: The application premises are located outside the Retail Core of Belfast City Centre but within the limit of the City Centre, as defined in the draft Belfast Metropolitan Area Plan 2015 (dBMAP). It is bordered on one side by the railway line and it is located above ground floor level. It therefore does not break up a continuous shopping frontage.</p> <p><i>Application complies with this criterion.</i></p>
2.6	<p>(b) Cumulative build-up of amusement arcades in a particular location: There are no other amusement arcades on this commercial frontage.</p> <p><i>Application complies with this criterion.</i></p>
2.7	<p>(c) Impact on the image and profile of Belfast: While the Arts Theatre once performed an important role in hosting plays and various acts in Northern Ireland it has remained vacant for some years now. The building is not listed and it has lawful development consent for use as a bingo hall and the incorporation of a slot machine area. Taking these considerations on board the application premises are not considered a tourism asset. The site is also not considered a Gateway location into Belfast.</p> <p><i>Application complies with this criterion.</i></p>

	<p>(d) Proximity to residential use: (i) - predominantly residential in character</p> <p>2.8 The application premises are located above ground floor level, along the commercial frontage of Botanic Avenue, where there are a mix of uses including restaurants, offices and retail units. There are residential buildings in the area on streets leading off Botanic Avenue.</p> <p>2.9 The application premises are located in the City Centre but outside the Retail Core, and can therefore be viewed as a 'mixed use' area and not one that is predominantly residential in character.</p> <p>(ii) – non-residential property that is immediately adjacent to residential property</p> <p>2.10 The nearest residential properties to the application premises are flats at 34 Botanic Avenue, which are approximately 19m from the application site on the opposite side of the road. These residential properties are facing the application premises, but not immediately adjacent to it.</p> <p><i>Application complies with this criterion.</i></p> <p>(e) Proximity to schools, youth centres, and residential institutions for vulnerable people:</p> <p>2.11 There are no schools, youth centres, or residential institutions for vulnerable people within 200m of the application premises.</p> <p><i>Application complies with this criterion.</i></p> <p>2.12 In conclusion, the Building Control Service considers that the application premises complies with all assessment criteria for the suitability of the location as laid down in the Council's Amusement Permit Policy.</p>
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3	Resource Implications
3.1	<p><u>Financial</u> None.</p>
3.2	<p><u>Human Resources</u> None.</p>
3.3	<p><u>Asset and Other Implications</u> None.</p>

4	Equality and Good Relations Implications
4.1	<p>The relevant equality and good relations implications of the Amusement Permit Policy have been taken into consideration and a completed screening form has been forwarded to the Equality and Diversity Officer.</p>

5	Recommendations
5.1	<p>The Committee is asked;</p> <ul style="list-style-type: none"> • To note that the location of the proposed amusement arcade complies with the five assessment criteria set out in the Amusement Permit Policy in arriving at your decision with regards to this planning application, and • In communicating your decision to the Planning Service regarding this application to advise that the location of the proposed amusement arcade complies with the assessment criteria stipulated in the Council's Amusement Permit Policy.

6	Decision Tracking
<p>The person responsible for any actions arising from your meeting is Mrs. Petra Scarborough, Democratic Services Officer, Chief Executive's Department. Ext. 6003.</p>	