

Development Management Officer Report Committee Application

Summary	
Committee Meeting Date: 17th January 2016	
Application ID: LA04/2016/1362/F	
Proposal: Construction of a sensory garden to include; play equipment, safety surfacing, hard standings, tree and shrub planting, with a 2.4 high paladin fence.	Location: Land leading to 115 Blacks Road Belfast BT10 0NF
Referral Route: Belfast City Council Application	
Recommendation:	Approval
Applicant Name and Address: Belfast City Council Landscape Planning and Devt 3rd Floor Adelaide Exchange Belfast BT2 8GD	Agent Name and Address:
<p>Executive Summary: The application seeks permission to provide a new sensory garden/play facility and associated fencing. The main issues to be considered in the case are the impact on;</p> <ul style="list-style-type: none"> • Principle of development at this location; and • Residential amenity <p>The proposal has been assessed against policy and is considered compliant.</p> <p>Consultees offered no objections to the scheme, there were no objections or representations.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal is approved.</p>	

Case Officer Report

Site Location Plan



Consultations:

Consultation Type	Consultee	Response
Non Statutory	Transport NI - Hydebank	Substantive Response Received
Non Statutory	Env Health Belfast City Council	Substantive Response Received

Representations:

Letters of Support	None Received
Letters of Objection	None Received
Number of Support Petitions and signatures	No Petitions Received
Number of Petitions of Objection and signatures	No Petitions Received

Characteristics of the Site and Area

1.0	Description of Proposed Development Planning permission is sought for the construction of a sensory garden with play facilities, tree and shrub planting and 2.4m high paladin fencing.
2.0	Description of Site The site falls within the development limits of Belfast. The site is located at land off Blacks Road and comprises of a grassed area at road frontage within the existing Belfast City Council Colin Glen Leisure Golf Complex. The site is located at and accessed via double gates which leads the existing Golf Course. To the rear of the site

	<p>lies the residential development of Arlington Drive. Site boundaries comprise of a 2.4m high paladin fencing along Blacks Road and a 2.4m high timber board fencing and mature vegetation to the rear along Arlington Drive.</p> <p>The area is of mixed used with leisure facilities and residential detached and semi-detached dwellings.</p>
Planning Assessment of Policy and other Material Considerations	
3.0	Site History None Relevant
4.0	Policy Framework
4.1	Regional Development Strategy (RDS); Belfast Metropolitan Area Plan (2015) Strategic Planning Policy Statement (SPPS) Planning Policy Statement 8 – Open Space (PPS8)
5.0	Statutory Consultees Responses
5.1	None
6.0	Non Statutory Consultees Responses
6.1	BCC Environmental Health – no objection
6.2	Transport NI – no objection
7.0	Representations
7.1	None
8.0	Other Material Considerations
8.1	None
9.0	Assessment
9.1	The proposal seeks planning permission for a children’s sensory garden facility which will include play equipment, safety surfacing, areas of hard standing, tree and shrub planting and a new 2.4m high paladin fence along the boundary with the golf course access road. Two extra heavy standard trees are proposed at the entrance with Blacks Road. The existing high vertical bar frontage and buffer planting boundary along Blacks Road is to be retained as are the four large trees forming the boundary with No. 13 Arlington Drive. The land is currently green open space and is in proximity to an existing recreational area comprising of pathways and outdoor work out stations.
9.2	The Strategic Planning Policy Statement for Northern Ireland (SPPS) states that design is an important material consideration in the assessment of all proposals and good design should be the aim of all those involved in the planning process. Good design can change communities and neighbourhoods for the better and promote accessibility and inclusivity. The proposal aims to turn a vacant area of grassland into a usable space for the surrounding community. It will improve the appearance and quality of the existing environment.

9.3	BMAP - The site is unzoned land within the plan however lies adjacent to a local landscape policy area. In addition, it forms part of an existing open space/leisure facility owned by Belfast City Council and while not zoned formally as open space it would be considered as such. Policy PPS 8 is therefore applicable
9.4	PPS8 - The area, although not designated as an area Open space in BMAP, is informally used as such. Policy OS 1 – Protection of Open Space applies to all areas of existing open space and states that development will not be permitted if it would result in a loss of open space. It is considered that the proposal will not result in a loss, it will bring an area of vacant land into use whilst still maintaining outdoor recreational function thus complying with policy.
9.5	A number of residential properties located at Arlington Drive adjoin the site, mainly Nos 9, 10 and 13. No. 13 is fully screened by the existing mature vegetation with No. 10 having as high level of screening. The vegetation is to be retained and therefore it is considered that the proposal will not have a detrimental impact on the residential amenity of these properties. The boundary with No.9 consists of a 2.4m high close board fence, the property has one first floor bedroom window which will overlook the site. None of the proposed structures exceed 2.4m and therefore will not pose any overlooking concerns into the private amenity space of the garden. A new 2.4m high fence with lockable pedestrian gate is proposed and the site will be secured reducing the potential for antisocial behaviour. It is unlikely that the proposal will have a detrimental impact on the amenity of neighbouring residents due to noise, overshadowing or loss of privacy.
9.6	Environmental Health were consulted on the application and indicated that the site is adjacent to a current land use that has the potential to contaminate land and pose a risk to human health. As such a contaminated land risk assessment was requested to address the concerns. This information was submitted and Environmental Health are now content with the proposal.
9.7	In essence the elements of the play park would fall under permitted development under Part 13 of the Planning (General Permitted Development) Order (Northern Ireland) 2015 – Development by Councils however the boundary fencing would fall outside permitted development and hence the application covers all elements of the play park.
10.0	Summary of Recommendation: Approval
11.0	<p>Conditions</p> <p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
Notification to Department (if relevant)	
N/A	
Representations from Elected members:	
N/A	

ANNEX	
Date Valid	20th June 2016
Date First Advertised	15th July 2016
Date Last Advertised	
Details of Neighbour Notification (all addresses) The Owner/Occupier, 10 Arlington Drive,Dunmurry,Belfast,Antrim,BT10 0NQ, The Owner/Occupier, 114 Blacks Road,Ballyfinaghy,Belfast,Antrim,BT10 0NF, The Owner/Occupier, 116 Blacks Road,Ballyfinaghy,Belfast,Antrim,BT10 0NF, The Owner/Occupier, 13 Arlington Drive,Dunmurry,Belfast,Antrim,BT10 0NQ, The Owner/Occupier, 3 Brooke Court,Ballyfinaghy,Belfast,Antrim,BT11 9NX, The Owner/Occupier, 9 Arlington Drive,Ballyfinaghy,Belfast,Antrim,BT10 0NQ,	
Date of Last Neighbour Notification	15th July 2016
Date of EIA Determination	N/A
ES Requested	No
Planning History None Relevant	
Drawing Numbers and Title 01 – Site location plan 02 – Proposed layout	