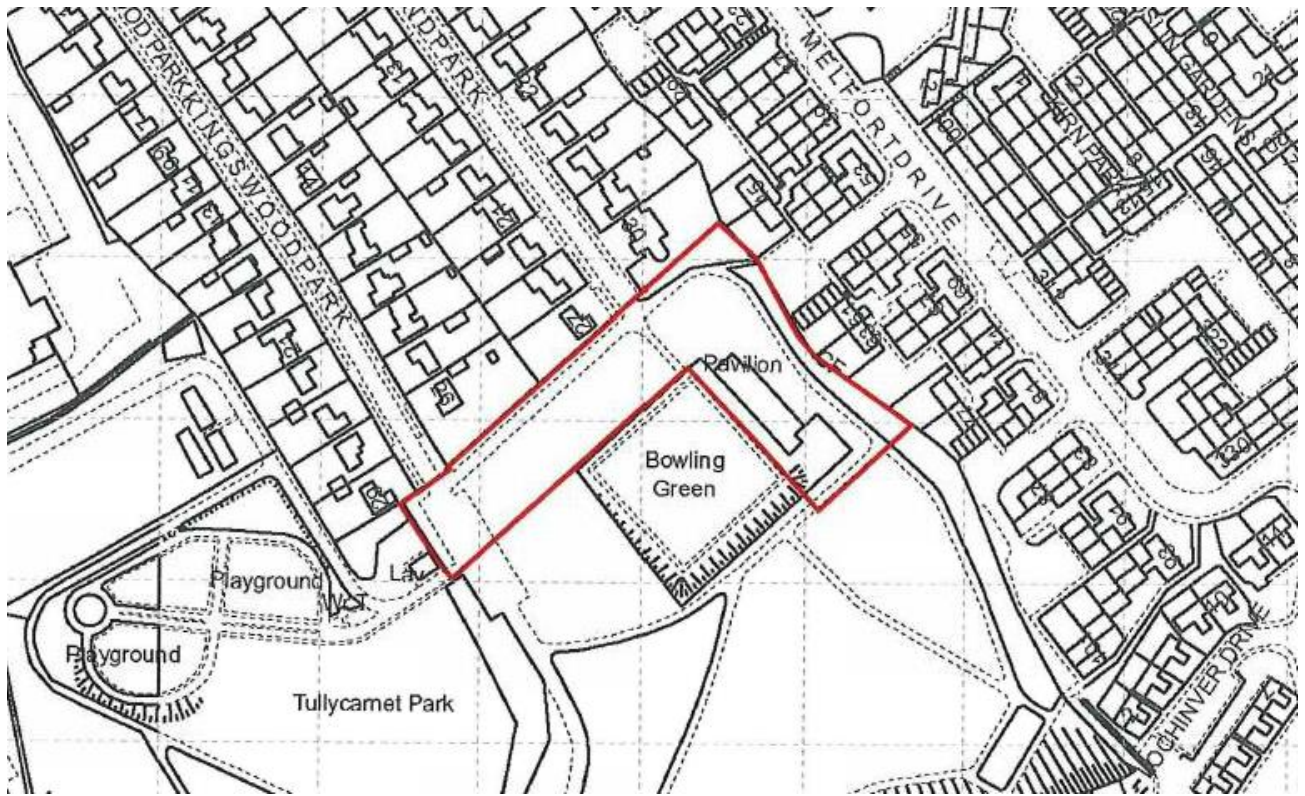


## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 15 <sup>th</sup> October 2019	
<b>Application ID:</b> LA04/2019/0914/F	
<b>Proposal:</b> New pavilion building adjacent to Tullycarnet Park Bowling Club building to allow for expansion of community boxing club.	<b>Location:</b> Site 50m South East of 30 Kingsland Park Belfast BT5 7FB.
<b>Referral Route:</b> Belfast City Council has an interest in the land.	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> Tullycarnet Action Group Initiative Trust Tullycarnet Park 26 Kingswood Park Belfast BT5 7EZ	<b>Agent Name and Address:</b> Paul McAlister Architects Ltd The Barn 64a Drumnacanny Road Portadown BT63 5LY
<p><b>Executive Summary:</b> The application seeks full permission for the erection of a new pavilion adjacent to Tullycarnet Park Bowling Club to allow for the expansion of community boxing club.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> <li>- loss of open space</li> <li>- design – impact on existing character</li> <li>- impact on neighbours</li> <li>- access, movement and parking</li> </ul> <p>Policy Tests: The proposal has been assessed against and is considered to comply with the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP), Draft Belfast Metropolitan Area Plan 2015 (BMAP), Planning Policy Statement (PPS3), Planning Policy Statement (PPS8). The proposal was considered to comply with all relevant planning policies the loss of a small area of open space is outweighed by the community benefits that the proposal will bring.</p> <p><b>Consultations:</b> BCC Environmental Health, Northern Ireland Water Ltd, HED Historic Monuments, Rivers Agency &amp; DFI Roads Service– all consultees offered no objection to proposal.</p> <p><b>Representations:</b> The Council has received, as part of the application, eight letters of support from a variety of community organisations. The proposal was advertised in the local press and twenty seven neighbouring properties notified to date the Council has received two letters from third parties objecting to the proposal; objections considered in report.</p> <p><b>Recommendation:</b> Accordingly, it is recommended that the proposal is approved subject to the conditions as set out in the report.</p>	

Case Officer Report

Site Location Plan



Characteristics of the Site and Area

1.0	<p><b>Description of Proposed Development</b>                  Planning permission is sought for the erection of a new pavilion building to allow expansion of community boxing club.</p>
2.0	<p><b>Description of Site.</b>                  The site is located within an existing park area (Tullycarnet Park) and is located adjacent to the existing pavilion building and main access gate. The site area is currently laid out in grass and access pathways. The pavilion building is flat roof constructed in brick it has two distinct heights single storey for the office and access point and a higher roof level for the main hall section. The park is located within a large housing development with terrace and detached housing surrounding the site boundary.</p>

Planning Assessment of Policy and other Material Considerations

3.0	<p><b>Planning History</b>                  No relevant planning history on site</p>
4.0	<p><b>Policy Framework</b></p>
4.1	<p>BUAP</p>

	<p>Draft BMAP 2015 Draft BMAP 2004</p> <p>Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within the Draft BMAP 2015 still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advance stage that Draft BMAP 2015 had reached, it is considered that it holds significant weight.</p> <p>Strategic Planning Policy Statement for Northern Ireland (SPPS) PPS 3 – Access, Movement and Parking PPS 6 – Planning Archaeology and the Built Heritage PPS 8 – Open Space, Sport and Outdoor Recreation</p>
<b>5.0</b>	<b>Statutory Consultee Responses</b>
	<p>Historic Environment Division (HED) – no objection DfI Roads Service – no objection NI Water – no objection – available capacity within system Rivers Agency – no objection with informatives</p>
<b>6.0</b>	<b>Non Statutory Consultees Responses</b>
	BCC Environmental Health – no objection with noise control and operating time conditions
<b>7.0</b>	<b>Representations</b>
7.1	<p>Two letters of objection received issues of concern included</p> <ul style="list-style-type: none"> <li>• Increase in noise and car and pedestrian traffic to Kingsland Park;</li> <li>• Inadequate public consultation;</li> <li>• Loss of green space;</li> <li>• Waste water, sewage and flooding;</li> <li>• Opening hours; security and</li> <li>• Legacy.</li> </ul>
7.2	Eight letters of support were received the general consensus of support proposal will provide facilities for local young people and can be used by other local community groups.
<b>8.0</b>	<b>Other Material Considerations</b>
	N/A
<b>9.0</b>	<b>Assessment</b>
9.1	<p><b>Principle of Development</b></p> <p>The site is shown to be within the existing development limits for the city and is further designated within the BUAP as being Lands reserved for Landscape, Amenity or Recreation Use. It is designated within the dBMAP as being an area of existing open space and within the Tullycarnet Local Landscape policy area. The SPPS advises that planning permission ought to be granted for sustainable development that accords with the area plan and causes no harm to areas of acknowledged importance. The SPPS also recognises that open space is important to society and supports cultural, social, economic, health and environmental benefits. It also echoes the RDS in recognising the need for the provision of adequate green infrastructure. The SPPS also sets a presumption against the loss of open space to competing land uses an exception to this presumption is when it can be demonstrated that redevelopment would bring substantial community benefit that outweighs the loss of open space.</p>
9.2	<p><b>Impact on open space:</b></p> <p>Relevant planning policy OS1 of PPS 8 advises that where development would result in the loss of existing open space there will be a presumption against that development irrespective of the condition or appearance of the land. The policy advises that an exception</p>

	<p>will be permitted where it is demonstrated that there would be substantial community benefits the decisively outweighs the loss of the open space. It also advises that an exception will also be permitted where it is demonstrated that the loss of the open space will have no significant impact on the amenity, character and biodiversity of the open space where one of two distinct circumstances are met.</p> <p>The overall size of the Park is circa five hectares in area the proposed pavilion building is equates to 0.03 hectares, a percentage of less than one percent of the total area of the park. It is therefore demonstrated that the proposed building will not significantly impact on the over character of the park. The proposal is for a community boxing club and has received community support ranging from the Police to local community groups. Officers are satisfied that the proposal complies with the relevant planning policy.</p> <p>9.3 <b>Design:</b> The scale and materials to be used in the construction of the proposal will not overly detract from the surrounding character, they are considered to be a modern interpretation of the materials employed in the surroundings. The location for the proposal adjacent to the existing pavilion will read as being within an existing developed area within the park and will not interfere with the open aspect of the remaining area of park land.</p> <p>9.4 <b>Impacts of neighbouring land uses:</b> There is considered to be a sufficient separation distance between the site and surrounding neighbouring domestic properties to ensure that the proposal will not have a dominating effect on these dwellings. BCC Environmental Health has considered the potential for noise impact on neighbouring land uses and has found there to be no significant impact that would warrant refusal but has requested the inclusion of planning conditions to mitigate potential noise impact on neighbouring land uses.</p> <p>9.5 <b>Access and Parking:</b> The site is accessed by means of both vehicular gates and pedestrian gates, the park is served by an existing internal road way and has parking facilities available for visiting members of the public. DfI Roads Service has offered no objection to the proposed development having regards to the potential for increase visitors to the site.</p> <p>9.6 <b>Flooding:</b> Rivers Agency has indicated that the proposal will not lead to any significant increase in the potential for flooding in the area. Rivers Agency has recommended that the finished floor level should finish a minimum of 600mm above the Q100 and climate change flood level. Rivers Agency has also indicated that the proposal does not reach the threshold for a drainage assessment and advises that it is the developer's responsibility to mitigate flood risk and drainage impact.</p> <p>9.7 <b>Objections</b> Two objections to the proposal were received letter from a named individual and an individual or group using the name Tullycarnet Park Residents. The concerns expressed included;</p> <ul style="list-style-type: none"> <li>• Increase in noise and car and pedestrian traffic to Kingsland Park;</li> <li>• Inadequate public consultation;</li> <li>• Loss of green space;</li> <li>• Waste water, sewage and flooding;</li> <li>• Opening hours; security and</li> <li>• Legacy.</li> </ul>
--	---

9.8	<p><b>Officer's response:</b></p> <ul style="list-style-type: none"> <li>• Kingsland Park is a public road, DfI Roads Service was consulted on the proposal and offered no objection to the development. Environmental Health has offered conditions to mitigate noise emanating from the site and limiting night time opening to 10.30pm Monday to Saturday and 5.00pm on Sunday.</li> <li>• Planning service undertook the normal neighbour notification process and press advertisement, eight letters of support were submitted from various community groups and the Police indicating a level of community consultation had taken place.</li> <li>• Loss to the open space is considered acceptable, as previously stated it amounts less than 1% of the total park area, the community benefits gained by the development are considered to outweigh the limited loss of open space.</li> <li>• Waste water, sewage and flooding were considered by statutory consultees NI Water and Rivers Agency both consultees offered no objection to the proposal.</li> <li>• Opening hours as previously stated Environmental Health has offered planning conditions to control the hours of use limiting the potential to impact on neighbouring land uses.</li> <li>• Legacy it is considered by Officers that there will be no significant loss of amenity afforded by the greenspace within this urbanised area, the park remains in the control of the Council and is therefore protected for future generation use. The Council, as for all its property, operates a management scheme for the parklands. The criteria used in the selection of the site for development was not a matter for Council only the appropriateness of the site for the intended use.</li> </ul>
9.9	<p><b>Conclusion:</b></p> <p>On balance, it is considered that the proposal will not significantly impact on the open space of the park. A significant level of community support for the proposal has been received as part of the application. The proposal complies with the requirements of the SPPS and policy OS 1 of PPS 8 and is therefore recommended for approval.</p>
10.0	<p><b>Summary of Recommendation:</b> Approval</p>
11.0	<p><b>Conditions and Informatives</b></p>
01	<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>
02	<p>All windows to the main training area must remain shut when the hereby permitted club is operational.</p> <p>Reason: Protection of residential amenity</p>
03	<p>The proposed double glazed windows and the alternative means of ventilation to the main training area must provide a minimum of 31 dB Rw Weighted Sound Reduction.</p> <p>Reason: Protection of residential amenity</p>
04	<p>The Rating Level (dBLAr) of sound from all combined building services plant associated with the development shall not exceed the background sound level for both day time and night, as presented in the FR Mark Noise Impact Assessment dated July 2019, at the closest noise sensitive premises when determined in accordance with BS4142:2014+A1:2019: Method of rating sound and assessing industrial and commercial sound.</p>

05	Reason: Protection of residential amenity Any gym exercise machines shall be resiliently mounted to the floor to avoid structure borne noise and vibration impact.
06	Reason: Protection of residential amenity Prior to operation of the development hereby permitted the proprietary absorbent floor matting must be installed across 'free weights' floor areas to isolate and minimise noise and vibration impact.
07	Reason: Protection of residential amenity The internal reverberant noise level within the main training area must not exceed 80dBLAeq.
	Reason: Protection of residential amenity

<b>ANNEX</b>	
<b>Date Valid</b>	15th April 2019
<b>Date First Advertised</b>	17th May 2019
<b>Date Last Advertised</b>	17 <sup>th</sup> May 2019
<b>Details of Neighbour Notification</b> (all addresses) 1-5 Dundela Ave,Belfast,BT4 3BQ 21 Kingsland Park Belfast Down 26 - 30 Kingswood Park,Belfast,Down,BT5 7EZ 45 -49 Melfort Drive,Belfast,Down,BT5 7FD 59 Melfort Drive,Belfast,Down,BT5 7FE 61 Melfort Drive,Belfast,Down,BT5 7FE 63 Melfort Drive,Belfast,Down,BT5 7FE 65 Melfort Drive,Belfast,Down,BT5 7FE 75 Melfort Drive,Belfast,Down,BT5 7FE 77 Melfort Drive,Belfast,Down,BT5 7FE PSNI Strandtown Police Station,1-5 Dundela Avenue,Belfast,BT4 3BQ Pavilion & Bowling Green,Tullycarnet Bowling Green,Kingsland Park,Belfast,Down,BT5 7FB Tullycarnet Park Residents	
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	Yes /No

**Drawing Numbers and Title**

01 Site Location

03 Proposed Floor Plans and Elevations

**Elected Representations:**

Cllr. Peter McReynolds facilitated an office meeting with two local residents and has requested updates on progress of the application.