

Development Management Report Committee Application

| Summary | |
|---|---|
| Committee Decision Date: | 16 June 2020 |
| Application ID: LA04/2019/1614/F | |
| Proposal: Redevelopment of existing all-weather playing field to provide new 3G flood-lit sports pitch, redevelopment of former tennis courts to provide new flood-lit multi use games area (MUGA pitch), pitch side fencing and ball-stop nets, car parking, landscaping and associated site works. | Location: Land including and adjacent to the existing all-weather sports pitch at Stranmillis University College Stranmillis Road Belfast BT9 5DY. |
| Referral Route: Planning Committee – Major Application | |
| Recommendation: | Approval |
| Applicant Name and Address: Stranmillis University College Stranmillis Road Belfast BT9 5DY | Agent Name and Address: Resolve Planning & Development Innovation Factory Forthriver Business Park 385 Springfield Road Belfast BT12 7DG |
| Executive Summary: | |
| <p>The site is located within the Stranmillis University College campus and comprises a gravelled pitch and tarmacked tennis courts areas, within the north-western corner of the campus. The topography of the pitch areas is relatively level, however it sits below adjacent university building including a refractory building immediately adjacent to the gravel pitch, with halls of residence buildings beyond. Cleaver Park is located to the north, a residential area comprising largely detached dwellings, which is elevated above the pitches area by approximately 4 – 5m.</p> <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> • The principle of the development of at this location; • Visual impacts of the proposal; • Impact on amenity / character of the area; • Impact on built heritage; • Impact on the natural environment; • Impact on transport and other infrastructure; • Flood risk from the proposal. <p>The proposal comprises improvements to existing sports pitches comprising a gravel sports pitch albeit in poor condition and subject to little use for sporting activities in recent years. The main pitch, at closest points would be located 29m from the nearest dwelling at 28 Beechlands, and approximately 51.6m from the nearest dwelling in Cleaver Park (number 28). Whilst the proposal will result in the reduction of the playing surface area to allow for car parking facilities, these facilities</p> | |

are necessary and a policy requirement to support the proposal. The provision of improved/refurbished pitch facilities is considered acceptable in principle. Access to the campus will be unaffected by the proposals.

The proposal would not adversely impact on amenity, traffic, heritage assets or flooding. The proposed scale, form, massing, design and materials of structures proposed are considered acceptable and will not adversely impact on local character. Existing trees within the site and around the site periphery, in addition to new planting would filter views of these structures. All structures are of a scale and character that would be reasonably expected at a sports facility. Changing rooms facilities originally proposed through conversion of existing ancillary buildings have been removed from the proposal in order to safeguard their heritage contribution, with provision relocated to existing facilities within the campus. On balance the proposal would not result in detrimental visual impacts.

DFI Roads, Historic Environment Division, NI Water, Rivers Agency, Conservation Officer, Natural Environment Division, Environmental Health and DEARA NED have no objections to the proposal.

Conditions are necessary to mitigate impacts of the development, including hours of operation of the facility and restriction of floodlighting use to between the months of October and February.

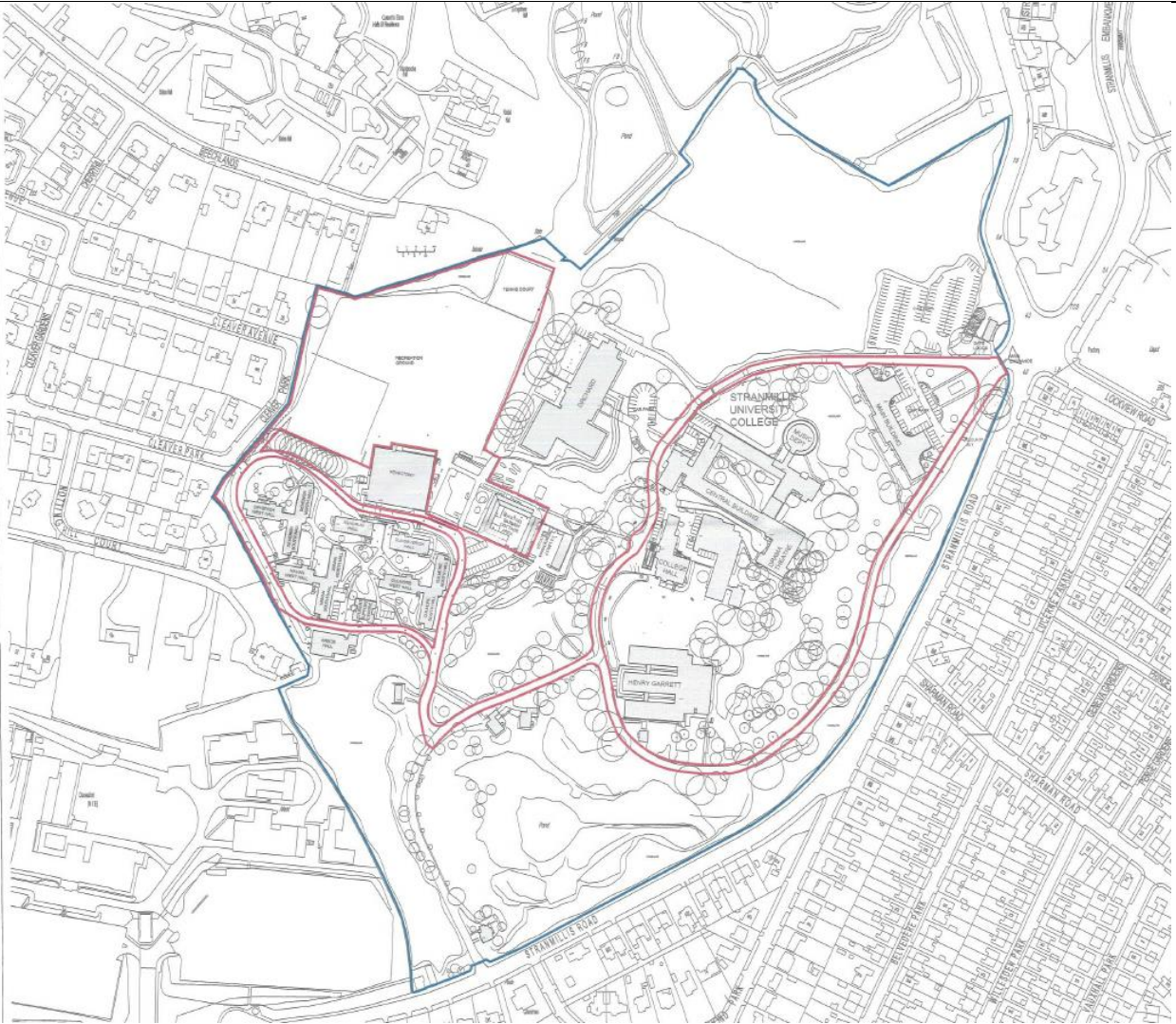
84 objections have been received and have been considered in the report.

Having regard to the development plan, policy context and other material considerations, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses.

It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties.

Case Officer Report

Site Location Plan





Separation Distance to Neighbouring Properties and Location of 'Orchard Building' (highlighted) where existing changing room facilities will be used:



Representations:

| | |
|---|--|
| Letters of Support | None Received |
| Letters of Objection | 84 |
| Number of Support Petitions and signatures | No Petitions Received |
| Number of Petitions of Objection and signatures | No Petitions Received |
| Representations from Elected Representatives | Paula Bradshaw MLA – objection Alderman Jim Rodgers - objection |
| Neighbour Notification Checked | Yes |

| | |
|------------|--|
| 1.0 | Description of Proposed Development The application seeks planning permission for the redevelopment of existing all-weather playing field to provide new 3G flood-lit sports pitch, redevelopment of former tennis courts to provide new flood-lit multi use games area (MUGA pitch), pitch side fencing and ball-stop nets, car parking, landscaping and associated site works. |
| 2.0 | Description of Site |
| 2.1 | The site is located within the Stranmillis University College campus and comprises a gravelled pitch and tarmacked tennis courts areas, within the north-western corner of the campus. The topography of the pitch areas is relatively level, however it sits below adjacent university building including a refractory building immediately adjacent to the gravel pitch, with halls of residence buildings beyond. Cleaver Park is located to the north, a residential area comprising largely detached dwellings, which is elevated above the pitches area by approximately 4 – 5m. There is a belt of mature trees and vegetation along the western and northern boundaries of the site with Cleaver Park. The southern and eastern boundaries are undefined, with the remainder of the campus including |

| | |
|--|---|
| | landscaped areas and educational buildings beyond. There are a number of listed buildings within the wider campus. |
| Planning Assessment of Policy and other Material Considerations | |
| 3.0 | Site History No relevant history |
| 4.0 | Policy Framework |
| 4.1 | Belfast Urban Area Plan 2001 (BUAP) Draft Belfast Metropolitan Area Plan 2004 Draft Belfast Metropolitan Area Plan 2015 Developer Contribution Framework 2020 |
| 4.2 | Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS); PPS2: Natural Heritage; PPS3: Roads Considerations; PPS6: Built Heritage and Archaeology; PPS6 Addendum: Areas of Townscape Character (ATC); PPS8: Open Space, Sport and Recreation; PPS15: Planning and Flood Risk; Development Control Advice Note 15 Vehicular Access Standards |
| 5.0 | Statutory Consultee Responses |
| | DFI Roads – no objections NI Water – no objections Rivers Agency – no objections Natural Environment Division – final response outstanding |
| 6.0 | Non-Statutory Consultee Responses |
| | Environmental Health – no objections Lagan Valley Park – objection – impact on Lagan Valley Park; BCC Tree Officer – no objections; BCC Landscape Section – no objection; |
| 7.0 | Representations |
| 7.1 | The application has been neighbour notified and advertised in the local press. Additional information/amendments have been received during the processing of the application in response to requests for clarification from consultees. Re-advertisement and re-notification of objectors and neighbours was undertaken in accordance with standard procedures following receipt. |
| 7.2 | 84 objections received raising the following issues (summarised): <ol style="list-style-type: none"> 1) Noise and disturbance impact to existing residents, including associated emotional distress; 2) Traffic and associated noise from pick up and dropping off to the facility at the access gate at Cleaver Park and access issues due to layout of Clear Park; 3) Amenity and design impacts from proposed floodlighting; 4) Impact on residential area/environment; |

| | |
|-----|---|
| | <p>5) Impact on conservation area, Listed building and historic parklands and contrary to PPS6;</p> <p>6) Impact on flora and fauna including protected species;</p> <p>7) Site used as car park for number of years and no longer sports pitch;</p> <p>8) 3G pitch is not required;</p> <p>9) Pre-Application Community Consultation not undertaken in accordance with the Planning Act.</p> <p>10) Pre-Application consultation does not represent local opposition to the proposals;</p> <p>11) Increased parking demands where currently a shortfall of parking on site;</p> <p>12) Perception of fear with strangers coming into the area to use the facility;</p> <p>13) Application submission is inadequate with necessary supporting information;</p> <p>14) Failed to provide up to date ecological information;</p> <p>15) Landscape and Visual assessment is inadequate and ignores adjacent Conservation Areas and should include additional viewpoints and summer and winter assessments;</p> <p>16) LB Consent required – not correctly referred to on the application form;</p> <p>17) Design and Access Statement fails to comply with legislative requirements;</p> <p>18) Inadequate Neighbour Notification undertaken by the Council – contrary to spirit of neighbour notification notwithstanding statutory requirement;</p> <p>19) Inconsistency with notification requirements for Pre-community consultation and application;</p> <p>20) Design is out of character with historic layout;</p> <p>21) Contrary to PPS8;</p> <p>22) Potential criminal activity / vandalism / anti-social behaviour;</p> <p>23) Detrimental impact on wildlife including from noise;</p> <p>24) Intensification of use of pitches / overdevelopment of the site;</p> |
| 8.0 | Other Material Considerations |
| | Belfast Agenda (Community Plan) |
| 9.0 | Assessment |
| 9.1 | <p>The key issues in the assessment of the proposal are as follows:</p> <ul style="list-style-type: none"> • The principle of the development of at this location; • Visual impacts of the proposal; • Impact on amenity / character of the area; • Impact on built heritage; • Impact on the natural environment; • Impact on transport and other infrastructure; • Flood risk from the proposal; <p>Policy context</p> |
| 9.2 | Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said Act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material considerations indicate otherwise. |
| 9.3 | The SPPS sets out five core planning principles of the planning system, including improving health and well-being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. The SPPS states at |

| | |
|------|--|
| | paragraph 1.13 (page 7) that a number of policy statements, including PPS2, PPS3, and PPS 8 remain applicable under ‘transitional arrangements’. |
| 9.4 | Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraph 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. Paragraphs 4.37-40 highlights the preservation and improvement of the built and natural environment. |
| 9.5 | 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 had reached pre-adoption through a period of independent examination, the policies within the version of BMAP purported to be adopted 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. |
| 9.6 | Within the BUAP the site is located within the development limits and is identified as whiteland. The site abuts the Malone and Stranmillis Conservation areas but falls within the Stranmillis ATC. PPS6 and the PPS6 Addendum relating to ATC’s are therefore applicable. |
| 9.7 | Section 104 of the 2011 Act and the related policy direction of the SPPS take precedence over criterion (a) of PPS6 Policy BH12 New Development in a Conservation Area, which requires the development to preserve or enhance the character of the area. The remaining criteria of this policy however remain. (b) and (c) broadly seek development that is in sympathy with the characteristic built form, scale material and detailing of the area; (d) that proposal will not result in environmental problems such as noise, nuisance and disturbance; (e) that important views within, into and out of the area are protected, and (f) that trees and other landscape features are protected. Criterion (g) seeks redevelopment that conforms to the guidance set out in conservation area documents. |
| 9.8 | Within draft Belfast Metropolitan Area Plan 2004 and draft Belfast Metropolitan Area Plan 2015, the site is located within the development limit. Within dBMAP 2004 the site is located within a Local Landscape Policy Area (LLPA). |
| 9.9 | PPS8 sets out regional policy for open space and recreation. Policy OS1 refers to the protection of open space, Policy OS4 relates to intensive sports facilities, stipulating 5 criteria with which proposals must accord. Policy OS7 relates to floodlighting and stipulates 3 criteria that proposals must satisfy. Paragraphs 6.199 - 6.213 relate to open space. Paragraph 6.213 sets out relevant planning considerations including: location, design, hours of operation, noise, impact upon visual and residential amenity, access and links to public transport; floodlighting; landscaping, public safety (including road safety); nature conservation, biodiversity, archaeology or built heritage. No conflict arises between PPS8 and SPPS policies. |
| 9.10 | PPS2 Natural Heritage is relevant to the proposal given the large number of trees within the site and the LLPA designation. Policy NH2 relates to protected species, whilst Policy NH5 relates to habitats, species or features of natural heritage importance. Natural Heritage in the SPPS is set out at pages 80 – 85. Policy requirements essentially repeat the provisions of PPS2 and accordingly no conflict arises with the SPPS. |
| 9.11 | PPS3 contains policy considerations relating to roads, access and parking and is a material consideration in that any proposals must make necessary provisions for such matters. Car parking and servicing requirements are set out at Policy AMP7, with design considerations set out at AMP9. Transportation considerations in the SPPS are set out at pages 106-110. |

| | |
|--|---|
| | <p>Policy requirements essentially repeat the provisions of PPS3 and accordingly no conflict arises with the SPPS.</p> <p>Principle of Development</p> <p>9.12 The proposal includes a 3G pitch, a MUGA pitch, car parking, fencing and floodlighting. The main pitch, at closest points would be located 29m from the nearest dwelling at 28 Beechlands, and approximately 51.6m from the nearest dwelling in Cleaver Park (number 28). The MUGA pitch is approximately 53m from the nearest dwelling at 29 Beechlands at the closest point. The site has been previously used for sporting activities, however representations have indicated that the area was used for car parking for various periods in the past. Notwithstanding this, the site clearly been used in past for sport recreation use and the proposal is therefore considered in accordance with the requirements of Policy OS1. Whilst in poor condition, the facilities could continue to be used at any time with repair works. Such works would fall outside the meaning of development as set out in the Planning (NI) Act 2011, or benefit from Permitted Development as set out in the Planning (General Permitted Development) Order 2015 and accordingly would not require planning consent. The use of the site for sporting facilities is acceptable. Car parking is considered later in the report.</p> <p>Visual impacts of the proposal/character of the area</p> <p>9.13 PPS6 Policy BH6 requires proposal to respect historic gardens. Policy BH11 requires proposals to respect the setting of Listed Buildings. Policy BH12 requires views into and out Conservation Areas to be protected under criteria (e). The SPPS, at paragraph 6.18, states that “In the interests of protecting the setting of designated Conservation Areas, new development in proximity needs to be carefully managed so as to ensure it respects its overall character and appearance. Important views in and out of the Conservation Area should be retained”.</p> <p>9.14 Policy OS4 of PPS8 requires that:</p> <ul style="list-style-type: none"> • buildings or structures are designed to a high standard, are of a scale appropriate to the local area or townscape and are sympathetic to the surrounding environment in terms of their siting, layout and landscape treatment; <p>9.15 The 3G pitch surfaces would have a negligible visual impact on the locality. The site / playing surface areas sit at a lower level than the adjacent nearest public road, Cleaver Park. Public views of the surface would read as green space/playing surface and would therefore have no greater impact than the existing gravel surface. Views into and out of the site are filtered by existing and proposed new boundary vegetation. It is accepted that views would become more readily available during winter months due to the deciduous nature of the majority of this planting, however this coupled with the restricted area from which views would be possible adjacent to the site, would not result in an unacceptable impact on the setting of either the Stranmillis or the Malone Conservation Areas as a whole, or the Stranmillis Area of Townscape Character. The associated fencing (6m and 3m high) and floodlights (18m) would have a greater visual impact. However, public views of such structures would also largely be limited to views discussed above. The floodlighting, by virtue of the level difference of the site with Cleaver Park and neighbouring streets would be similar/lower in height than the ridges of the nearest dwellings in Cleaver Park. Accordingly, distance views into the site and of these structures would be filtered by the existing dwellings and boundary vegetation. For these reasons the proposals are considered acceptable and comply with Section 104 (11) of the Planning Act (NI) 2011, the SPPS and PPS6 and the Addendum to PPS6.</p> |
|--|---|

| | |
|------|---|
| 9.16 | The proposed scale, form, massing, design and materials are considered acceptable and will not adversely impact on local character. Existing trees within the site and around the site periphery, in addition to new planting would filter views of these structures. All structures are of a scale and character that would be reasonably expected at a sports facility. On balance, the proposal would not result in detrimental visual impacts. |
| 9.17 | Alterations and conversion works to facilitate new changing room facilities were originally proposed to existing outbuildings located close/adjacent to the site to the southeast of the pitches. These were removed from the proposal due to concerns from HED regarding impacts on the historic assets/features of this building. Changing facilities will now be provided within existing facilities at the "Orchard building" to the east of the application site. Accordingly the proposal does not contravene relevant Listing Building policies as set out in PPS6, and this revision is admissible within the application in that it is not a policy requirement that changing facilities must be included with all playing pitch proposals. |
| | Impact on amenity; |
| 9.18 | <p>The application has attracted objections on grounds that the proposal would detrimentally impact on amenity due to noise and light disturbance. Policies OS4 and OS7 of PPS8 require consideration of these issues. Policy OS4 requires proposals to ensure:</p> <ul style="list-style-type: none"> • there is no unacceptable impact on the amenities of people living nearby by reason of the siting, scale, extent, frequency or timing of the sporting activities proposed, including any noise or light pollution likely to be generated; |
| 9.19 | In assessing these impacts, consultation has been undertaken with Environmental Health who have reviewed noise and lighting assessments submitted by the applicant. Environmental Health have concluded that the proposal would not detrimentally impact on amenity through predicted noise levels or light disturbance subject to a number of recommended conditions. However, the duration and level of activities need to be considered and are discussed below. Light spill information indicates that the highest Lux (light) level at the nearest residential property at 28 Cleaver Park would be 4 Lux. This equates to twilight/dusk on a clear night. |
| 9.20 | In relation to noise, the conclusion of the January 2020 FR Mark Noise Assessment advises that the cumulative predicted noise level from the upgraded pitches when used simultaneously will be no greater than 45dB LAeq, 1hour at the nearest sensitive premises, with installation of noise mitigation measures including acoustic fencing. The report advises that the predicted level, when compared against relevant World Health Organisation (WHO) standards for noise levels in external amenity areas and with reference to relevant British Standard BS8233:2014 for internal noise standards, does not exceed the target criteria. The noise assessment advises there were no previous restrictions on the existing site, however, given that the existing playing fields never had an artificial surface or purpose built floodlighting these factors naturally restricted site usage such that it is assumed that the facility would not have been used after hours of darkness or in poor weather. The indicative timetable schedule has been revised by the applicant such that it is no longer proposed to have the pitches in use on a Sunday and reduced hours on a Saturday compared to weekdays (except for 8 weekends of the year). The schedule does indicate that the site, however, will potentially be available for use 6 days per week all year round every evening up to 10pm except a Saturday when it is proposed to shut at 8pm except for 8 weekends of the year when it would be propose to use the pitches on a Saturday up until 10pm. A significant proportion of additional usage presented on the proposed indicative schedule appears to involve the use of the pitches by external groups. Additional mitigation measure details were also requested. |

| | |
|------|--|
| 9.21 | Revised information was received to address the queries outlined by Environmental Health in their response. This includes a revision to the operating hours of the pitches to between 09:00 and 22:00 Monday to Friday and 09:00 and 19:00 on a Saturday with a restriction to external bookings to between 18:30 and 22:00 hours on weekdays, except for Fridays where public booking will be available between 17:30 and 22:00. Floodlighting operation will be restricted to between the months of October and February (inclusive). Noise mitigation measures have also been provided. |
| 9.22 | Environmental Health have confirmed that the additional information addresses the concerns relating to predicted noise levels and lighting disturbance, subject to mitigation measure being implemented. They have recommended planning conditions regarding implementation of the noise and lighting mitigation measures. They have not provided comments on operating hours due to limited information regarding the former/current use being presented to enable the assessment to take account of historic pitch use and associated activities, and accordingly deferred judgement on this issue to planning officers. The applicant has requested operating hours of 09:00 to 22:00 Monday to Friday and 09:00 to 19:00 on a Saturday, with no use on a Sunday. The pitches will be used by students during term-time between 09:00 and 19:00 Monday – Friday and 09:00 and 17:00 on a Saturday, with use for the community available for the remaining hours of operation. |
| 9.23 | It is considered that the proposal would result in an intensification of use given that it will be more suitable during inclement weather and as a result of floodlighting allowing evening use at certain times of the year with the potential to cause disturbance. Taking into account the residential characteristics of the adjacent areas and the proximity of existing residents, it is considered that operating hours in the evenings, Monday to Friday, should be reduced to 21:00 hours to mitigate disturbance. Furthermore, it is proposed to limit use on Saturdays to 19:00 hours with no exceptions throughout the year (the applicant originally proposed later hours on Saturdays for 8 weekends per annum). Taking into account the technical noise assessment provided and associated review and advice from Environmental Health, together with the proposed reduced hours of operation of the pitches and floodlighting, it is considered that this would ensure that there would be no unacceptable impact on the amenity of local residents. Conditions are necessary in accordance with Environmental Health recommendations and operating hours are recommended. It is considered that subject to conditions, the proposal is compliant in relation to policies OS4 and OS7 of PPS8. |
| 9.24 | <p>Policy OS4 also requires that:</p> <ul style="list-style-type: none"> • there is no adverse impact on features of importance to nature conservation, archaeology or built heritage; |
| 9.25 | Consideration in relation to the SPPS and PPS6 regarding impacts on the Conservation Area, ATC and Listing Building and its setting have been considered above. HED and The Conservation Officer have no objections to the proposal and is therefore deemed acceptable in relation to SPPS, PPS 6 and Policy OS4 of PPS8. Visual amenity considerations have been considered above and no unacceptable impacts are considered to occur. |
| 9.26 | Additional landscaping is proposed throughout the site and includes additional tree planting (30 extra heavy standard 4.5m min) along the boundary with Cleaver Park. These details are considered acceptable and will assist in mitigating visual impacts of the proposal. Appropriate conditions are necessary to secure retention of existing trees along this boundary, in addition to securing the delivery and management of new planting. |

| | |
|--|---|
| 9.27 | NED have assessed the application and consider it acceptable in relation to impacts on flora and fauna subject to conditions to ensure protected species are not adversely impacted. |
| 9.28 | Objections queried the adequacy of information submitted regard ecological impacts. Additional ecological information was submitted and assessed by NED. Having considered the submitted information, NED have no objections subject to conditions. Accordingly, the proposal is considered compliant with PPS2 and PPS8. |
| Impact on transport and other infrastructure; | |
| 9.29 | <p>PPS3 and two of the criteria of Policy OS4 relates to transport considerations:</p> <ul style="list-style-type: none"> • the proposed facility takes into account the needs of people with disabilities and is located so as to be accessible to the catchment population giving priority to walking, cycling and public transport; and • the road network can safely handle the extra vehicular traffic the proposal will generate and satisfactory arrangements are provided for site access, car parking, |
| 9.30 | <p>DFI Roads have considered the proposal and have no objections. They have considered all representations received in relation to these issues. The proposal includes 34 parking spaces and a 10 bicycle shelter. Rigid application of the parking standards for sports pitches indicates that the parking requirements based on 40 players using the facility at one time (32 football, 8 tennis) would require 14 spaces. An additional 20 spaces are proposed to facilitate match changeover periods. The additional provision is considered justified in this instance to assist in mitigating the concerns expressed by residents regarding on street parking, drop off, and associated issues. The visual impacts of the parking area will be limited given that it sits at a lower level than the surrounding area and views will be filtered by existing trees and buildings. The parking area will result in the loss of a small area of open space, however this is considered acceptable in order to provide adequate parking facilities and taking account of residents' concerns regarding parking and is not therefore considered contrary to OS1 PPS8. The proposal also meets parking standard requirements. Level access is provided throughout the site to facilitate easy access for any impaired user, and the site is located in close proximity to public transport links on the Malone and Stranmillis Roads. The University also has a duty under separate legislation to ensure adequate access is provided for people with disabilities.</p> |
| 9.31 | <p>Residents have concerns regarding parking and drop off issues within Cleaver Park associated with the university as there is a pedestrian access gate into the campus adjacent to the sports pitches. Cleaver Park has been used for spill-over parking thereby creating noise and nuisance within this street. Whilst there is understandable frustration associated with this activity, any parking issues arising from the wider university activities does not form part of the application and is a matter for review and resolution by the University outside of this application. The remit of parking provision before the Council is restricted to the proposal and its associated parking requirements. It is important to note that Cleaver Park forms part of the public highway, and as such is accessible to the public. Any additional parking provided within the campus would not preclude visitors to the facilities from parking within Cleaver Park or nearby public roads.</p> |
| 9.32 | <p>Notwithstanding this, the university is seeking to control the degree of access available by <i>“electronically controlling the use of the Cleaver Gate...and... include a commitment to keep the gate open to all during normal College hours, but to introduce electronic control during those hours when the pitches will be in public use. It is anticipated that students and staff of the college will be able to access the campus from the Cleaver gate during these hours, but the overall effect of this will be to reduce the accessibility of the site to the wider</i></p> |

| | |
|------|---|
| | <p><i>public.</i>” Case law tests would preclude the Council from securing this measure by planning condition, as it does not relate to the proposal. This measure, on a goodwill basis, may assist in mitigating parking and access issues faced by residents and will be a matter for the university to deliver. DFI Roads have included a requirement in the recommended conditions that vehicular traffic accessing the proposal, do so via the main access to the University on Stranmillis Road.</p> |
| 9.33 | <p>Accordingly, the proposal is considered acceptable in terms of traffic, parking and access considerations and therefore in accordance with this criteria and relevant policy within PPS3 and PPS8.</p> <p>Flood risk from the proposal;</p> |
| 9.34 | <p>Policy OS4 requires satisfactory arrangements for drainage to be provided, and specific drainage/flood risk policy is set out in PPS15.</p> |
| 9.35 | <p>A drainage assessment and associated information was submitted for consideration and consultation undertaken with Rivers Agency and NIW in relation to these matters. Both consultees are satisfied with the mitigation measures proposed and it is therefore considered that the proposal complies with policy and acceptable drainage and flood risk protections measures are proposed.</p> <p>Waste Disposal;</p> |
| 9.36 | <p>The proposal will not significantly alter current arrangements for waste disposal. Arrangements for the disposal of Wastewater/drainage from the proposed 3G pitch have been deemed satisfactory by Rivers Agency and NI Water. Concerns raised regarding rubbish generation relate to adequate management arrangements for the site and would not warrant refusal on planning grounds.</p> <p>Issues raised by Representations:</p> |
| 9.37 | <p>Many of the issues raised have been considered above. However additional matters are addressed as follows:</p> <p>1) Listed Building (LB) Consent required – not correctly referred to on the application form;</p> <p>The application was revised to exclude works to the changing rooms which were deemed listed during the application process. LB Consent is therefore no longer required. HED have no objections to the proposal.</p> <p>2) Design and Access Statement fails to comply with legislative requirements;</p> <p>A revised statement was received during the processing of the application. It is considered adequate to address legislative requirements.</p> <p>3) Inadequate Neighbour Notification undertaken by the Council – contrary to spirit of neighbour notification notwithstanding statutory requirement;</p> <p>Notification has been completed in accordance with legislative requirements, namely those properties that abut the red line boundary of the application site.</p> <p>4) Inconsistency with notification requirements for Pre-community consultation and application;</p> |

| | |
|---|---|
| | <p>Legislative requirements are different for pre-application and application notification.</p> <p>5) Design is out of character with historic layout;</p> <p>Design has been deemed acceptable in the assessment above and HED and the Conservation Officer have no objections.</p> <p>6) Public order / Potential criminal activity / vandalism / anti-social behaviour;</p> <p>This is matter for the relevant authorities and outside the scope of this planning application. It is for the landowner to effectively manage the pitches/grounds and for the Police to ensure compliance with relevant public order legislation / regulations.</p> <p>Consultations</p> <p>9.38 No consultees have any objections to the proposal.</p> <p>Pre-Community Consultation</p> <p>9.39 For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.</p> <p>9.40 Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.</p> |
| 10.0 | Having regard to the policy context and other material considerations above, the proposal is considered acceptable and approval of planning permission is recommended due to compliance with policy and taking account of consultation responses. |
| 10.1 | It is recommended that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions subject to no new substantive planning issues being raised by third parties. |
| <p>Conditions</p> <p>1. 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> <p>2. The pitches and floodlighting hereby approved shall not be operational outside the following hours: Monday to Friday – 09.00hrs to 21.00hrs Saturday – 09:00hrs to 19:00hrs</p> <p>The pitches and floodlighting shall not be used on Sundays or public holidays.</p> | |

The floodlighting shall be implemented in accordance with the approved details and shall only be operational during the months of October, November, December, January, and February and during no other months of the year.

Reason: In the interests of residential amenity and protection of natural heritage assets.

3. The artificial floodlighting scheme of the hereby permitted development shall not commence operating until an artificial lighting verification report is submitted to the Council for review and approval in writing. The report shall verify that the lighting scheme as specified in the Musco drawings stamped by Belfast City Council no's 13-23 has been installed and shall verify that all artificial floodlighting connected with the development has been measured and/or calculated and confirmed to be within the vertical illuminance (Lux) levels for Environmental Zone 2 at the windows of habitable rooms of the nearest residential properties as stipulated in table 2 of the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN0L:2011. All floodlighting shall be optically controlled and directed in such a manner to minimise light pollution from glare and light spill. The floodlight shall be operated in accordance with verification report and to the satisfaction of the Local Planning Authority.

Reason: In the interest of amenity.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Drawing No 18613-C500 Rev P1 bearing the Belfast Planning Service date stamp 16/8/19, prior to the commencement of any other works or other development hereby permitted.

REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing No:18613-C500 Rev P1 bearing the Department for Infrastructure determination date stamp 16/8/19.

REASON: To ensure there is a safe and convenient road system to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

6. All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated in accordance with details to have first been submitted to and approved in writing by the Council.

REASON: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.

7. No part of the development hereby permitted until hard surfaced areas have been constructed in accordance with approved drawing to provide adequate facilities for parking and circulating within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles in connection with the development.

REASON: To ensure that adequate provision has been made for parking.

8. The development shall not become operational until weather protected cycle parking has been fully provided in accordance with the approved plans.

REASON: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.

9. All floodlighting on site shall be asymmetric and hooded to avoid upward spill. Lighting shall be directed away from all trees on the boundaries of the application site identified by the red line on drawing number 01 date stamped received 5 July 2019.

Reason: To protect Bats in their foraging and commuting areas.

10. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted before the expiration of the next available planting season to the satisfaction in writing by the Local Planning Authority.

In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

12. All soft landscaping comprised in the approved details shall be carried out within the first planting and seeding season following any part of the development hereby permitted becoming operational. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

13. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 'Trees in relation to Construction' 2005.

Protective fencing shall be at least 2.3 metres high, comprising of a scaffolding framework, verticals positioned no more than 3.0 metres apart driven into the ground approximately 0.6 metres, braced to resist impacts, supporting weldmesh panels, fixed in a manner to avoid easy removal as shown in BS 5837 2005, Figure 2.

Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

Neighbour Notification Checked

Yes

Signature(s)

Date:

| ANNEX | |
|--|--------------------|
| Date Valid | 31st July 2019 |
| Date First Advertised | 16th August 2019 |
| Date Last Advertised | 21st February 2020 |
| <p>Details of Neighbour Notification (all addresses)</p> <p>14 Notting Hill Court,Belfast,Antrim,BT9 5NH The Owner/Occupier, 16, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA The Owner/Occupier, 18, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA The Owner/Occupier, 2 Sharman Road,Belfast,Antrim,BT9 5FW The Owner/Occupier, 20 Notting Hill,Belfast,Antrim,BT9 5NS The Owner/Occupier, 20, Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HY 21 Cleaver Avenue Belfast Antrim 21, Beechlands, Belfast, Antrim, Northern Ireland, BT9 5HU 22 Notting Hill,Belfast,Antrim,BT9 5NS 22 Richmond Park,Stranmillis,Belfast,Antrim,BT9 5EF 22, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 23, Beechlands, Belfast, Antrim, Northern Ireland, BT9 5HU 23, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 24, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 25 Beechlands,Belfast,Antrim,BT9 5HU 25, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 256 Stranmillis Road,Belfast,Antrim,BT9 5DZ 258 Stranmillis Road,Belfast,Antrim,BT9 5DZ 26 Cleaver Park Belfast Antrim 26, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 260 - 268 Stranmillis Road,Belfast,Antrim,BT9 5DZ 27 Beechlands,Belfast,Antrim,BT9 5HU 27 Cleaver Avenue Belfast Antrim 270 – 320 Stranmillis Road,Belfast,Antrim,BT9 5DZ 28 Beechlands,Belfast,Antrim,BT9 5HU 28 Cleaver Avenue,Belfast,Antrim,BT9 5JA 29 Beechlands,Belfast,Antrim,BT9 5HU 29, Cleaver Avenue, Belfast, Antrim, Northern Ireland, BT9 5JA 29, Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HY 3,Cottage,Stranmillis Road,Belfast,Antrim,BT9 5DX 32 -38, Cleaver Park, Belfast, Antrim, Northern Ireland, BT9 5HY 37 Notting Hill,Belfast,Antrim,BT9 5NS 39 Notting Hill,Belfast,Antrim,BT9 5NS 44 Stranmillis Embankment,Malone Lower,Belfast,Antrim,BT9 5FL 48 Stranmillis Embankment,Malone Lower,Belfast,Antrim,BT9 5FL 55 - 61 Richmond Park,Stranmillis,Belfast,Antrim,BT9 5EF Apartment 3 - 8,41 Notting Hill,Belfast,Antrim,BT9 5NS Back Lodge,Stranmillis College,Stranmillis Road,Belfast,Antrim,BT9 5ED Central Building,187 Stranmillis Road,Belfast,Antrim,BT9 5DT Cleaver Residents' Group,c/o 18 Cleaver Park,Belfast,BT9 5HY</p> | |

College Hall,187 Stranmillis Road,Belfast,Antrim,BT9 5DT
 Culmore Halls Of Residence,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Deputy Principal'S House,Stranmillis Road,Belfast,Antrim,BT9 5DX
 Devenish Halls Of Residence,Stranmillis Road,Belfast,Antrim,BT9 5DX
 Dunseverick Halls Of Residence,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Estate Management Complex,187 Stranmillis Road,Belfast,Antrim,BT9 5EE
 Groundfloor,46 Stranmillis Embankment,Malone Lower,Belfast,Antrim,BT9 5FL
 Groundfloor,Aisling House,50 Stranmillis Embankment,Malone Lower
 Gymnasia,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Lower Orchard,187 Stranmillis Road,Belfast,Antrim,BT9 5DT
 Navan Halls Of Residence,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Nendrum Halls Of Residence,Stranmillis Road,Belfast,Antrim,BT9 5DX
 Oak Lodge,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Office 1,Main Building,187 Stranmillis Road,Belfast,Antrim,BT9 5DT
 Orchard Building,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Paula Bradshaw MLA, Parliament Building Stormont Estate
 Principal House,Stranmillis College,Stranmillis Road,Belfast,Antrim,BT9 5DX
 Principal'S House,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Refectory,187 Stranmillis Road,Belfast,Antrim,BT9 5DT
 Riddle Hall Cottage,187 Stranmillis Road,Belfast,Antrim,BT9 5EE
 Stranmillis Road,Belfast,Antrim,BT9 5DY
 Stranmillis University College Campus,Stranmillis Road,Belfast,Antrim,BT9 5DY
 Upper Orchard,187 Stranmillis Road,Belfast,Antrim,BT9 5DT
 Wardens House,Stranmillis Road,Belfast,Antrim,BT9 5DX

| | |
|--|--------------------------------|
| Date of Last Neighbour Notification | 14 th February 2020 |
|--|--------------------------------|

| | |
|----------------------------------|-----------------------------|
| Date of EIA Determination | 7 th August 2019 |
|----------------------------------|-----------------------------|

| | |
|---------------------|----|
| ES Requested | No |
|---------------------|----|

Planning History

Ref ID: LA04/2017/2703/PAN

Proposal: Redevelopment of existing all weather playing field to provide new 3G flood-lit pitch, new flood-lit multi use games area (MUGA pitch), renovation of existing out-buildings to provide new changing accommodation, car parking and associated access arrangements.

Address: Land including and adjacent to, the existing all weather sports pitch at, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY.,

Decision: PANACC

Decision Date: 11.12.2017

Ref ID: Z/1994/1064

Proposal: Change of use to student accommodation and provision of 10 no. car parking spaces

Address: PRINCIPAL'S HOUSE STRANMILLIS COLLEGE BELFAST BT9

Decision:

Decision Date:

Ref ID: Z/1996/0490

Proposal: Change of use from residential to office accommodation

Address: LAGAN LODGE (PRINCIPLES HOUSE) STRANMILLIS COLLEGE
STRANMILLIS ROAD BELFAST BT9

Decision:

Decision Date:

Ref ID: Z/1998/0934

Proposal: Alterations to Listed Building including construction of disabled ramp to front facade, and provision of ancillary car parking

Address: LAGAN LODGE.STRANMILLIS COLLEGE STRANMILLIS ROAD.BELFAST
BT9

Decision:

Decision Date:

Ref ID: Z/1998/0945

Proposal: Change of use from domestic to office use including alterations and construction of disabled ramp to front facade, and provision of ancillary car parking

Address: LAGAN LODGE STRANMILLIS COLLEGE STRANMILLIS ROAD BELFAST
BT9

Decision:

Decision Date:

Ref ID: Z/2003/2767/F

Proposal: Erection of two fire escapes and stairwells to the rear of the main building and replacement of adjoining windows.

Address: Main Building, Stranmillis University College, Belfast, BT9

Decision:

Decision Date: 08.03.2004

Ref ID: Z/2003/2768/LB

Proposal: Erection of two fire escapes and stairwells to the rear of the main building and replacement of adjoining windows.

Address: Main Building, Stranmillis University College, Belfast, BT9

Decision:

Decision Date: 09.03.2004

Ref ID: Z/2004/3006/F

Proposal: Demolition of existing Orchard Building and replacement with new education building and associated car parking.

Address: Orchard Buildings, Stranmillis College, Belfast. BT9 5DY

Decision:

Decision Date: 12.10.2005

Ref ID: Z/2004/3016/DCA

Proposal: Demolition of existing Orchard Buildings (upper & lower) to allow for the erection of a new educational facility.

Address: The Orchard Buildings, Stranmillis University College, Stranmillis, Belfast

Decision:

Decision Date: 12.10.2005

Ref ID: Z/2007/0273/LB

Proposal: Demolition of building and erection of new primary school.

Address: Henry Garrett Building, Stranmillis University College, Stranmillis Road, Belfast, BT09 5DY

Decision:

Decision Date: 12.12.2008

Ref ID: Z/2007/0274/O

Proposal: Construction of a 14no. class Primary School with school meals, multi-purpose hall and ancillary accommodation with a detached 2no. class nursery unit adjacent.

Address: Stranmillis University College, Stranmillis Road, Belfast, BT09 5DY

Decision:

Decision Date: 12.12.2008

Ref ID: Z/2007/0275/DCA

Proposal: Demolition of two storey previous dwelling and education building.

Address: Former Headmaster's cottage & Henry Garrett Building, Stranmillis University College, Stranmillis Road, Belfast, BT09

Decision:

Decision Date: 12.12.2008

Ref ID: Z/2012/0284/LBC

Proposal: Removal of asbestos contaminated second floor ceiling and wall linings and consequent reinstatement for the Grade A listed building. The project also includes services refurbishment of all floors.

Address: The Main Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: CG

Decision Date: 02.08.2012

Ref ID: Z/2012/0405/LBC

Proposal: Proposed DDA related works to Stran House including new external ramps, new lifts and WC refurbishment

Address: Stran House, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision:

Decision Date: 31.07.2012

Ref ID: Z/2012/0406/F

Proposal: Provision of ramped disabled access.

Address: Stran House, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision:

Decision Date: 31.07.2012

Ref ID: Z/2012/0407/F

Proposal: Alterations to the internal layout of the building to provide en-suite bathrooms. This will consequently require alterations to several external bedroom window openings and opaque glass to ensuites.

Address: Dunseverick Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5DY,

Decision: PG

Decision Date: 22.08.2012

Ref ID: Z/2012/0528/LBC

Proposal: Demolition of most recent extension (circa 1958) to south side of the Henry Garret building and reinstatement of the land

Address: Henry Garret Building, Stranmillis University College, Stranmillis Road, Belfast, BT9 5AD,

Decision: CG

Decision Date: 03.05.2013

Ref ID: Z/2012/0530/LBC

Proposal: Demolition of derelict Principals House and reinstatement of the land to complement the existing landscaping within the Stranmillis University Campus

Address: Principals House (located approx 30m east of the Henry Garrett Building) Stranmillis University College Stranmillis Road Belfast BT9 5AD,

Decision: CG

Decision Date: 08.02.2013

Ref ID: Z/2012/0816/F

Proposal: Change of use of part of the lower ground level from ancillary use (storage/WC's etc) to Student Union Bar/Cafe. Upgrading of the building facade to include re-cladding and provision of lift shaft.

Address: Refectory Building, Stranmillis University College, Stranmillis Road, Belfast,

Decision: PG

Decision Date: 21.01.2013

Ref ID: Z/2013/0660/LBC

Proposal: Internal alterations including new coffee dock, break out space, corridor and lobby work to the left of the main entrance, removal of non historic lightweight walls doors, a bar and bar store. Provision of new automated doors, kitchenette, ceiling floor

and wall finishes. Raising of door head DG06. Removal of lining in front of windows.
Replacement of extract fan.

Address: Stranmillis House, Stranmillis University College, Stranmillis Road, Belfast,
BT9 5DY,

Decision: CG

Decision Date: 01.08.2013

Ref ID: Z/2014/0148/LBC

Proposal: Minor adjustment to entrance steps raising the top landing and providing a
new step. Staff tutorial room on second floor converted into WC area.

Address: The Main Building, Stranmillis University College, Stranmillis Road, Belfast,
BT9 5DY,

Decision: CG

Decision Date: 16.05.2014

Ref ID: Z/2014/0383/F

Proposal: Creation of level access main entrance incl. lobby (19sqm) plus extension to
north facade (+55sqm). Internal alterations at ground floor level to provide cafe. External
alterations to create disabled parking spaces and an improved shared surface link with
the adjacent orchard building.

Address: Central Building, Stranmillis University College, Stranmillis Road, Belfast, BT9
5DY,

Decision: PG

Decision Date: 16.05.2014

Ref ID: Z/2014/1515/LBC

Proposal: Minor amendment to entrance doors and further adjustments to first and
second floor offices including removal of some interior walls and the provision of a
platform lift.

Address: The Main Building, Stranmillis University College, Stranmillis Road, Belfast,
BT9 5DY,

Decision: CG

Decision Date: 06.03.2015

Notification to Department (if relevant) N/A

Date of Notification to Department:

Response of Department: