MEETING OF PLANNING COMMITTEE – COMBINED PACK

Dear Alderman/Councillor,

The above-named Committee will meet in the Great Hall - City Hall on Tuesday, 20th June, 2017 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

1. **Routine Matters**
   
   (a) Apologies
   
   (b) Minutes (Pages 1 - 28)
   
   (c) Declarations of Interest
   
   (d) Notice of Motion - Developers' Contributions (Pages 29 - 30)

2. **Committee Site Visit** (Pages 31 - 32)

3. **Planning Appeals Notified** (Pages 33 - 34)

4. **Planning Decisions Issued** (Pages 35 - 66)

5. **Departmental Performance Update** (Pages 67 - 68)

6. **Proposed Abandonments** (Pages 69 - 86)

7. **Planning Applications**
(a) Reconsidered - LA04/2016/1158/F Change of use from post office to hot food take away at 565 Ormeau Road (Pages 87 - 96)

(b) LA04/2016/1538/F - Residential development comprising of 9 dwellings, site access and all associated works on lands adjacent and south of 60 Distillery Street (Pages 97 - 108)

(c) LA04/2016/0487/F - Change of use from dwelling to coffee shop, single storey side and rear extension, 1 St Agnes Drive, Andersonstown Road (Pages 109 - 116)

(d) LA04/2016/2291/RM - 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including boundary wall and fence, former training ground for Dundela Football club (Pages 117 - 128)

(e) LA04/2016/2219/F Refurbishment and alterations to primary school including 2 single storey rear extensions and 2 storey rear extension. Construction of double nursery school building, car parking, landscaping, fencing and siteworks. at Elmgrove Primary School (Avoniel Site) and Nursery Unit Avoniel Road (Pages 129 - 144)

(f) LA04/2016/2156/F - Temporary teaching accommodation (3 prefabricated buildings providing 6 classrooms), temporary kitchen and dining hall building, security fencing and car parking with associated site works including demolition of existing school meals building, to facilitate temporary school decant from Avoniel Road school site (Pages 145 - 152)

(g) LA04/2016/1834/F - Development of a 3G sports pitch, surrounding security fence and floodlighting at Malone Integrated College (Pages 153 - 160)

(h) LA04/2016/0549/F - 70 semi-detached and townhouse dwellings with associated site works, roads, car parking and landscaping/open space provision on lands at Benview Avenue and Benview Parade to the South of Buttermilk Loney (Pages 161 - 174)

(i) LA04/2015/0152/F - Proposed demolition of existing buildings to make way for a mix of 42 three bed terraced dwellings, 19 two bed apartments and 3 two bed semi-detached dwellings with a play area and open public space (64 units in total), 17c Station View (Pages 175 - 186)

(j) LA04/2017/0171/F - Change of use from offices to 37 bedroom hotel with associated restaurant, bar and ancillary facilities including new rooftop terrace at 5 and 9-13 Waring Street (Pages 187 - 196)

(k) LA04/2017/0497/F - Change of use of existing office accommodation to provide 30 bedroom hotel accommodation with roof extension/roof terrace including a bar and associated screening forming an extension to the neighbouring hotel at 40a Church Lane (Pages 197 - 204)

(l) LA04/2017/0963/LBC - Removal of existing reception counter on the ground floor City Hall main entrance rotunda area and replacing it with a memorabilia exhibition retail reception counter to the ground floor main entrance rotunda area. (Pages 205 - 210)
(m) LA04/2016/0041/F - Lagan gateway project includes: the provision of a new boat lock at Stranmillis to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis and paths to Belvoir Park (Pages 211 - 220)

8. **Miscellaneous Items**

   (a) Listed Buildings (Pages 221 - 230)

   (b) DFI Performance Framework - Response to consultation (Pages 231 - 308)

   (c) Preferred Options Paper Public Consultation (Restricted) (Pages 309 - 482)

   (d) Local Development Plan - Metropolitan Area Spatial Working Group (Pages 483 - 488)

   (e) Planning Advertisements - Oral Update (Restricted Item)
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MEETING OF PLANNING COMMITTEE

Members present: Councillor Johnston (Chairperson); Alderman McGimpsey; Councillors Armitage, Bunting, Garrett, Hussey, Hutchinson, Jones, Lyons, Magee and McAteer.

In attendance: Mr. P. Williams, Director of Planning and Place; Mr. E. Baker, Development Engagement Manager; Ms. N. Largey, Divisional Solicitor; Mr. K. Sutherland, Development Planning and Policy Manager; Mr. S. McCrory, Democratic Services Manager; Mrs. S. Steele, Democratic Services Officer; and Mrs. L. McLornan, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Councillors Carson, Dorrian and Mullan.

Minutes

The minutes of the meetings of 11th April and 13th April were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 2nd May, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Magee declared an interest regarding item (s) LA04/2016/0006/F change of use to ground floor, from shop to hot food takeaway, at 45 Manor Street, in that he knew the owner of the property.

Councillor McAteer declared an interest regarding item (u) LA04/2016/0051/F residential building consisting of six apartments at 82 Eglantine Avenue, in that she had facilitated a meeting with the applicant about the proposal.

Matters Referred Back from Council

Notice of Motion – Housing Provision in Belfast

(Councillor Collins attended in connection with this item)

The Committee was reminded that the Council, in accordance with Standing Orders, had referred the following notice of motion, which had been proposed by
Councillor Collins and seconded by Councillor McCabe, to the Committee for consideration:

“This Council recognises the severe shortage in social housing across the City, and the detrimental effect which this is having on many citizens in Belfast. It also notes the important work that Belfast housing rights organisations and campaigners have done to highlight this problem in some of the most socially deprived areas of Belfast, by working with the homeless and people in poor housing to identify solutions to the housing crisis. One such solution is to maximise the use of available land right across the City for new build social housing.

In particular, the Council notes the concentration of housing stress in North Belfast and the ongoing campaign by residents and housing rights activists to ensure that a number of sites in North Belfast reach their full social housing potential. The Council calls for a reconsideration of the zoning of redevelopment sites to reflect the necessity to build social housing in North Belfast, in order to deliver a real reprieve to the acute housing crisis in this part of the City.”

The Chairperson advised the Committee that Councillor Collins was in attendance in relation to the motion and he was invited to the table.

Councillor Collins highlighted that a large number of people were in housing stress in Belfast, particularly in the North and West of the city, with many more suffering than what official waiting list figures showed. He outlined that there were numerous suitable sites available in which social housing could be built and that action needed to be taken to address the increasing problem.

The Committee received representation from Mr. S. Brady, Participation and the Practice of Rights (PPR). He explained that PPR worked to build bridges between duty bearers and those whose rights were being denied, and, in this case, was seeking to address the housing crisis in Belfast. He outlined that there was a clear need for additional social housing in North Belfast and that land was available in the areas with the highest demand. He requested that elected representatives worked together to alleviate the housing crisis.

The Chairperson thanked Mr. Brady for his presentation and he retired from the meeting.

The Development Planning and Policy Manager outlined to the Committee that there were a number of competing demands for a finite resource of development land within the city. He reminded the Members that the creation of a Local Development Plan (LDP) was ongoing and that a review of existing designations would be carried out as part of that process. He explained that current legislation did not permit the Council to carry out a comprehensive review of any existing designations in advance of the completion of the LDP and that individual applications would continue to be assessed on their own merits by the Planning Committee.
After discussion, during which a number of Members acknowledged the difficulties which a large number of people were facing in relation to securing housing, the Committee noted the motion.

**Committee Site Visit**

Pursuant to its decision of 13th April, it was noted that the Committee had undertaken a site visit on 4th May in respect of planning application LA04/2016/2267/F – Erection of office building (ranging in height from four to six storeys) and associated access road, re-configuration of existing car park and ancillary works – Site C Gasworks Office Park Cromac Place.

**Planning Appeals Notified**

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

During discussion, the Director of Planning and Place agreed to submit regular reports which would seek to summarise any emerging trends arising from Planning Appeals.

**Planning Decisions Notified**

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place, together with all other planning decisions which had been issued by the Planning Department between 4th April and 5th May.

**Departmental Performance Update**

The Development Engagement Manager provided the following information on the Department’s performance to date:

Applications:
- 197 applications validated in April 2017.
- This is down 8% compared to April 2016 (241).

Decisions:
- 169 decisions issued in April 2017.
- 94% approval rate
- 94% decisions issued under delegated authority
- 198 decisions issued in April 2016

No. of applications in system by length of time:
- 1023 live apps in system at end of March 2017
- 60% of applications in system less than 6 months
Outstanding legacy applications is 24. (from 780 at transfer in April 2015).

Performance against statutory Targets (unvalidated management information up to 31 March 2017)

The statutory target for processing major development planning applications from the date valid to decision issued or withdrawal date is within an average of 30 weeks. In Quarter 4 (1 Jan – 30 April 2017) the average processing time to decide major applications in BCC was 29.8 weeks. This, however, includes legacy applications and those Major applications which have been delayed whilst a Section 76 agreement in put in place.

Excluding those applications requiring a Section 76 agreement the average processing time for processing a major application between 1 January and 31 March was 22 weeks.

The statutory target for processing local development planning applications from the date valid to decision issued or withdrawal date is an average of 15 weeks. In Quarter 4, the average processing time to decide local applications in BCC was 18.2 weeks.

The statutory target is that 70% of all enforcement cases are progressed to target conclusion within 39 weeks of receipt of complaint. In quarter 4, 68.8% of enforcement cases were concluded within 39 weeks.

The Committee noted the update provided.

Proposed Abandonment

The Committee noted the receipt of correspondence from the Department for Infrastructure which related to the proposed abandonment of land at The Manor, Blacks Road, Belfast.

Response to Lisburn and Castlereagh City Council Consultation - Preferred Options Paper

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

To present for consideration and comment the Lisburn & Castlereagh City Council (LCCC) Local Development Plan Preferred Options Paper (POP). A copy of the POP Summary Paper is available on the Council’s website.
The submissions closing date is 25th May 2017. The proposed draft response from Belfast City Council is available on the Council’s website.

2.0 Recommendations

It is recommended that the Committee notes the public consultation of LCCC’s POP. It is further recommended that the Committee considers the draft written response to the POP and, if appropriate, approve it for submission to LCCC.

3.0 Main report

Key Issues

3.1 Lisburn & Castlereagh City Council (LCCC) recently published its POP and has written to the City Council seeking our views. The LCCC POP sets out a vision and a number of strategic objectives for the new LDP. It also sets out the preferred options for addressing key issues identified. The main issues of particular interest and relevance to Belfast are summarised below.

3.2 The Spatial Growth Strategy seeks to focus growth in accordance with a settlement hierarchy, with Lisburn City, Castlereagh and Dundonald urban areas at the top, followed by the towns of Hillsborough, Moira and Carryduff. Proposed housing growth allocations are based on this hierarchy and are primarily focussed on Lisburn City. LCCC’s preferred option is for 13,300 new dwellings (738 per annum) up to 2030, with an additional 10% allowance for market flexibility. This hierarchical approach to growth is considered to be appropriate. However, the POP acknowledges that there is insufficient land zoned or committed for housing, both within the existing urban footprint and within existing designated settlement limits to meet all the planned housing growth during the period of the new LDP. To help address this issue, LCCC proposes to direct significant new housing to a portion of the West Lisburn/Blaris Major Employment Location site. Whilst this may be an acceptable approach, it is considered important that cross-boundary discussion takes place with LCCC and other councils in the Greater Belfast sub-regional area to ensure that individual housing allocations are agreed and implemented consistently to support the Regional Development Strategy.

3.3 In terms of retailing, LCCC’s preferred option for Sprucefield is to reinforce it as a regional shopping centre. This takes account of the decision to remove the ‘bulky goods only’
restriction for additional retail development at the existing centre. As Elected Members will be aware, this is the subject of a separate legal challenge by Belfast City Council and it is not intended to make any detailed comment on this matter in response to the LCCC POP at this time. Nevertheless, it is considered appropriate to comment that any future development at Sprucefield is in accordance with national policy that is based on the ‘town centre first approach’, as expressed in the Regional Development Strategy and the Strategic Planning Policy Statement.

3.4 The POP proposes to extend the area designated as the Forestside District Centre. The proposed extension will include the retail park, DIY unit and adjoining lands, all on the opposite side of the main A24 road from the existing shopping mall. These lands are currently not included in the District Centre boundary. This represents a significant expansion of the District Centre, which is immediately adjoining the local government district boundary with Belfast City and has a catchment area that extends well into Belfast City. The additional area more than doubles the existing designated centre. This could facilitate the full range of retailing activities at this location. The potential impact on existing retail centres in Belfast City, including Connswater and the City Centre, is of concern. It is considered that the proposed expansion of the Forestside District Centre is inconsistent with the Strategic Planning Policy Statement (SPPS) aim to support and sustain ‘town centres’ (including city centres) with a town centre first approach for retail and other town centre uses. The significant expansion of retailing activities, particularly for comparison (high street type) retailing, has the potential to adversely impact on the vitality and viability of retailing the Belfast City Council Area, including the city centre and Connswater.

3.5 There are a number of other cross-boundary issues that need co-operation between both councils. These include sustainable travel, waste management and environmental protection issues. In the latter regard, it is acknowledged that the Lagan Valley Regional Park and the Belfast Hills are cross-boundary assets that form part of the wider green and blue network. In addition, provision for cemeteries and crematoria is important and the City Council is continuing to explore options for addressing the medium and long term requirements. Continued joint discussion is required throughout all stages of the LDP process to ensure a joined-up and mutually beneficial approach.
3.6 The attached draft response highlights areas of support or concern and issues of mutual interest. The LCCC POP generally represents a positive and proactive approach to future growth and sustainable development. With the exception of the above concerns in relation to retailing at Forestside, there does not appear to be any conflict with our own growth and development aspirations. It forms a basis for continued partnership working with LCCC and we should welcome the POP and the opportunity to comment on it.

3.7 Financial & Resource Implications

There are no resource implications associated with this report.

3.8 Equality or Good Relations Implications

There are no relevant equality or good relations implications attached to this report.”

The Committee adopted the recommendations.

Miscellaneous Items

Listed Buildings

The Committee was advised that correspondence had been received from the Northern Ireland Environment Agency (NIEA) seeking the Council’s views in respect of proposals which had been formulated for the listing of a number of buildings in Belfast.

The Committee was reminded that Article 80 (3) of the Planning Act (NI) 2011 required the Agency to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

The Committee noted the contents of the report and supported the proposed listings of the following buildings by the Department for Communities:

- 22 Ashley Avenue, Belfast, BT9 7BT;
- 24 Ashley Avenue, Belfast, BT9 7BT;
- 26 Ashley Avenue, Belfast, BT9 7BT;
- Chapel of Unity, Methodist College, Belfast, BT9 6BQ; and
- All Souls Church Hall (AKA Rosemary Hall), Elmwood Avenue, Belfast, BT9 6AZ

Notification of Delisting of Building of Special Architectural or Historical Interest

The Committee agreed that the following two graving docks would be scheduled rather than listed, as a more appropriate form of protection:

- Graving Dock No. 1, Clarendon Quay, Belfast, BT1 3AL; and
Protocol for Planning Appeals Commission Hearings

The Committee noted that this item had been withdrawn from the agenda.

Update on Preferred Options Paper Consultation

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

1.1 The purpose of this report is to:

- Update Committee on the POP engagement activity and the number of responses received.
- To request a Member’s workshop on Thursday 18 May 2017 to outline the consultation carried out, provide initial feedback on the issues raised and set out the process for the formal reporting of the results.

2.0 Recommendations

It is recommended that Committee:

- Note the information set out in the report in relation to the responses received and the next stages in the LDP process.
- Agree to the Members workshop on Thursday 18 May 2017.
- Note the proposal for the formal POP consultation report be brought to Committee in June.

3.0 Main report

3.1 Key Issues

Preferred Options Paper (POP)

The Preferred Options Paper is a detailed document with 48 different Preferred Options grouped under the four Strategic Aims and was accompanied by a suite of supporting documents, comprising:

- POP Summary or ‘easy read’ public document (made available in large print and Braille)
- Youth POP
- Information leaflet and pop-ups
- 18 Topic Papers underpinning the preferred options
Planning Committee,
Tuesday, 16th May, 2017

- Sustainability Appraisal Interim Report (Incorporating Strategic Environmental Assessment)
- Non-Technical Summary for the Sustainability Appraisal (Incorporating Strategic Environmental Assessment)
- Countryside Assessment
- Equality Impact Assessment (EQIA) Screening
- Commissioned reports on housing and population growth and economic growth

3.2 Hard copies of the Preferred Options Paper and the POP Summary were printed and used throughout the consultation period. All the additional supporting documents were available online and supplementary publicity materials such as the information leaflet and pop-ups (outlining the four POP themes) were utilised for the consultation events and ongoing engagement activity. Tailored POP presentations were developed and delivered to audiences.

POP engagement

3.3 The Statement of Community Involvement was published in June 2016 and sets out the minimum level of engagement required during the LDP. Given the overlap of the Belfast Agenda and POP consultation periods it was recognised that consistent and clear messages needed to be provided for stakeholders and effort was made to carry out joint consultation events. Whilst the POP had separate contact details for the consultation, the clarity of messages and signposting was in line with wider council activity.

3.4 In total there were 82 consultation events for the POP consultation which consisted of:

- 4 area events (with the Belfast Agenda and Local Investment Fund)
- 52 stakeholder consultations (including meetings with adjacent councils)
- 18 public facing engagement events
- 1 drop in session for Section 75 groups
- 7 internal events
- Regular meetings with the LDP Steering Group and statutory consultees

3.5 In addition to the four area based events the team engaged with communities of interest (Youth Forum, Festival Forum, Senior’s Forum); organisations covering specific areas of the city (Belfast Area Partnerships, Neighbourhood Renewal Partnerships, Belfast Hills Partnership, Resident Groups);
business organisations (BCCM, Belfast Chamber of Trade and Commence, Harbour Commissioners); professional bodies (RICS, Royal Society of Ulster Architects); and the adjacent councils. There were also 18 public engagement events in which staff set up pop up information booths in busy public areas such as St George’s market, Castlecourt, Europa Station, Ulster Museum and the student unions in UU, BMC and QUB.

3.6 The LDP Unit worked closely with the Equality Unit within council to develop an engagement programme with Section 75 groups and held a drop-in session, spoke at the S75 Insight Project and at the S75 Consultative Forum and held an event for disability groups in Grosvenor Hall. The POP summary was also produced in large print format and Braille.

3.7 The programme of events was effective in both informing the public and facilitating general awareness of the broader plan process whilst encouraging responses and debate. Lessons learned from the POP consultation will inform the ongoing work to plan for the engagement as part of the next stage in the Plan development.

**Formal responses to the Preferred Options Paper**

3.8 Formal responses to the POP were received via email, Citizen Space and hard copy. In total:

- 44 responses were received via Citizen Space
- 100 responses were received via email
- 4 hardcopy responses were received

3.9 Working with the Youth Forum the Youth POP summary was distributed to 13 schools. This generated an additional:

- 47 Citizen Space responses
- 58 hardcopy responses

**POP communications**

3.10 A range of communications tools were used throughout the POP consultation period with an aim to reach as many audiences as possible and included:

- Social media: Facebook, Twitter and Instagram.
- Online advertising: Facebook - boosted post, Google AdWords and display advertising.
- Printed press advertising - Belfast Gazette, Irish News, Newsletter, Belfast Telegraph and Belfast Media Group
3.11 The final data is still being collated but the initial communication analytics reveal the following:

- The Facebook reach for the period running up to the close of the consultation reached 6,500 people.
- There were 18,230 Twitter impressions (the number of times a tweet has been delivered to the Twitter stream) for the period running up to the close of the consultation with an average engagement rate of 1.65% (above 1% is considered a good rate of engagement).
- Between 26 January - 20 April 2017 the POP webpage had 2,433 unique page views, with an average time of 08:26 minutes spent on the page.

Analysis of POP data

3.12 Analysis of the information received from the POP consultation is underway and it is proposed to present the formal consultation report to the June Planning Committee. In order to provide members with the opportunity to explore some of the issues raised in the consultations, it is proposed that a Member’s workshop is arranged for Thursday 18 May 2017. The workshop will provide initial feedback on the issues raised, outline the process for the formal reporting of the consultation finding and highlight the main issues raised by respondents.

3.13 Financial & Resource Implications

The resource implications will continue to be kept under review in relation to the five-year plan programme.

3.14 Equality or Good Relations Implications

There are no Equality or Good Relations Implications."

The Committee noted the contents of the report.
Planning Committee,
Tuesday, 16th May, 2017

Development Management Operating Principles

The Committee considered the undernoted report:

“1.0 Purpose of report or summary of main issues

1.1 The purpose of this report is to update the Planning Committee on on-going improvements to the Development Management (planning applications) part of the Planning Service. Appended to this report are a series of Operating Principles that have been informed by feedback from the development industry at stakeholder workshops in 2016, feedback from staff and best practice from around the UK. The Planning Service will be working to these Operating Principles to support an enhanced service to customers.

1.2 The Operating Principles will inform the development of Customer Guidance which will set out to customers how the Development Management service operates.

2.0 Recommendations

2.1 That the Committee notes the 10 Operating Principles and ‘Purpose’ of the Development Management (planning applications) service which are available on the Council’s website. These will underpin Customer Guidance on how the Planning Service operates.

3.0 Main report

3.1 Background

Members will recall that an Improvement Plan has been prepared for the Development Management (planning applications) part of the Planning Service. An updated copy of the Improvement Plan is available on the Council’s website. The purpose of the Improvement Plan is to identify areas of the service that need enhancing to improve the customer experience.

3.2 Two key actions in the Improvement Plan are to review internal processes in line with best practice and to finalise and publish service standards. The Council does not currently publish how it deals with planning applications and what customers can expect. This needs to be rectified and Customer Guidance is required to set out service standards and how the planning process operates.
3.3 A series of engagement events were held with the development industry in Spring 2016. Alongside feedback from staff and good practice from the UK, this has informed the creation of 10 ‘Operating Principles’, which underpin a good planning service. These can be found on the Council’s website.

3.4 The Operating Principles represent good practice in how a Development Management service should be provided. The Operating Principles will inform the development of Customer Guidance that clearly sets out to customers how the planning service operates, what the service standards are and what they can expect from the service.

3.5 Key issues

The Improvement Plan is aimed in part at improving application performance. Unofficial figures for 2016/17 show an average processing time of 62.1 weeks for Major applications (target of 30 weeks) and 15.4 weeks for Local applications (target of 15 weeks). Members should note that these performance returns include Legacy applications and permissions subject to a Section 76 planning agreement. These have the effect of increasing average processing times without the ability to agree an extension of the determination period, unlike in England and Wales. Moreover, it should be noted that recent performance has been strong. During 2016/17 Q4, the average processing time for Major applications was 29.8 weeks (within target). Excluding those applications that required a Section 76 planning agreement, the average processing time was 22 weeks.

3.6 The statutory targets are set by the Department for Infrastructure (DFI). A new performance framework is expected from the Department which will create a more level playing field with UK local planning authorities and will further assist the achievement of targets. The Department is due to consult councils on the new performance framework and the consultation will be reported to the Committee in the coming months.

3.7 The Operating Principles will support the following outcomes:

- A customer focused and business approach to delivery of the service;
- Timely and quality decisions by frontloading the application process;
- Good communication with customers;
• Reducing the amount of conflict between what the customer wants and the type of service that is provided;
• Focused decision-making

3.8 The Committee is asked to note the Operating Principles, as well as the suggested ‘Purpose’ of the Development Management service, available on the Council’s website. The Operating Principles will then underpin Customer Guidance on how the Planning Service operates and what customers can expect from the service.

3.9 It is essential that the Planning Service is appropriately structured, and has sufficient resource at the right level, if the Operating Principles are to be effectively implemented. This is under review. Further improvements need to be made including lean-management of detailed processes and introduction of fit for purpose replacement back-office computer software, including the ability for customers to submit planning applications online. Evolution of the Planning Service is a continuous process and further actions will be implemented as part of the on-going improvement programme. Members will receive further updates on the implementation of the Improvement Plan at key milestones.

3.10 Financial & Resource Implications

Implementation of the Operating Principles will ensure that the Planning Service is efficient in its handling of planning applications, creating capacity to provide a better planning service.

3.11 Equality or Good Relations Implications

None identified.”

The Committee noted the information which had been provided.

Update on Major Planning Permissions

The Development Engagement Manager reminded the Committee that the transfer of many planning powers to Local Government had taken place following the Review of Public Administration in April 2015. He advised the Committee that this transfer had included giving Councils the responsibility for preparing a Local Development Plan for each Council area, determining most planning applications and enforcing breaches of planning control.

The officer detailed that over the two year period since the transfer, Belfast City Council had determined approximately 3,300 applications, of which approximately 93%
had been approved. The Council's Planning Committee had determined close to 430 planning applications, which was approximately 13% of all applications, with a delegation rate of 87%.

The Committee was then provided with an overview of the number of planning permissions granted specifically for major developments, all of which having been determined by the Planning Committee as required by statute. It was noted that approximately 80 applications had been received and that the approval rate for 2016/17 had been 97%. The officer stated that this demonstrated the Planning Service's strong commitment to engaging with its customers, working through issues and finding solutions to enable significant development projects to progress.

The Committee noted that these permissions included many major city centre schemes, as follows:

- 17 permissions for hotels (or circa 1,500 beds);
- 21 permission for offices (circa 150,000 sq. m. floor space); and
- 12 permissions for purpose built student accommodation (circa 5,800 beds).

The officer reported that the total construction value of these development was estimated at approximately £400 million, broken down as follows:

- Hotels - £70 million;
- Offices - £165 million;
- Purpose Built Student Accommodation - £175 million.

A Member welcomed the work of the Planning Service and the contribution that the Service was making to development and investment within the city centre, he stated that he would also welcome an update report in respect of major developments that had taken place throughout the other areas of the City.

The Committee noted the update report and that a further report on development across the whole of the City would be submitted to a future meeting.

### Planning Applications

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)

#### Withdrawn Items

The Committee noted that two applications, namely (i) LA04/2015/0598/O – Residential development comprising 60 apartments at former Monarch Laundry Site, 451-455 and (w) LA04/2016/1184/F 5 apartments at 63 Houston Park had both been withdrawn from the planning process and as a result had been withdrawn from the agenda.
LA04/2016/0879/F 5 dwellings at 440-446 Ravenhill Road

The case officer outlined the contents of the report and informed the Committee that the application had been withdrawn from the agenda of the meeting of 11th April for the consideration of a late objection which had been received. He outlined to the Committee that, in light of that objection and an additional representation which had been received in the interim, all representations had now been fully considered in the assessment within the amended report. He outlined that the statutory consultees had been contacted once again and had expressed no objections to the proposed development at the site.

The case officer outlined that the application sought planning approval for the demolition of existing semi-detached dwellings and the construction of 5 no. dwellings comprising of 3 no. detached and 2 no. semi-detached houses with associated car parking and landscaping.

The Committee was advised that the proposal had been assessed against the SPPS, Planning Policy Statements (PPS) 3, 7 and the Addendum to PPS 7, and supplementary guidance set out in Creating Places, DCAN 8 and Parking Standards. He explained that, after assessment, the proposal was considered acceptable and had been recommended for approval.

The Committee received representations from Mrs. Van den Berg and Mr. Lambkin. They outlined a range of objections to the proposal, including:

- whether a site visit had been carried out;
- the case report having omitted objections relating to the loss and invasion of privacy of the private amenity space;
- that a 25ft open aspect would be left as a result of the demolition of the garage;
- that the proposed roundabout would encourage traffic onto privately owned land;
- that the areas in common should be clearly demarcated;
- evidence of previously blocked sewers from statutory agencies;
- the previous presence of Japanese Knotweed on the site of no. 446 and concerns that construction work would disturb the ground; and
- issues regarding the applicant not having submitted the correct certificate and not having full land ownership.

The objectors requested that, if approval was granted, conditions be imposed on the applicant to ensure replacement screening be provided and that the choice of surface abutting the boundary along the passage in common be agreed between the applicant and the neighbouring property owner.

The Chairperson thanked the residents for their presentation and they retired from the meeting.
In response, the case officer clarified a number of the issues which had been raised. He explained that, although it was not a requirement from officers, the developer had stated that he was prepared to use the vacant plot as the access point for construction traffic, and that he would discuss this with the agent before the decision was issued. He confirmed to the Members that the correct certificate had now been produced by the applicant and that due process had been followed.

The Committee approved the application, in line with the recommendation outlined in the case officer’s report, and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

**LA04/2016/2027/F 17.5m telecommunications mast including 3 equipment cabinets on footpath opposite No. 590 Shore Road**

(Alderman McGimpsey had left the room whilst the item was under consideration)

The case officer apprised the Committee of the application for the erection of a 17.5m high telecommunications mast and associated works including 3 No equipment cabinets. He reported that the application site was located on the footpath opposite No 590 Shore Road and adjacent to Loughside Park. Loughside playing fields were situated to the rear of the proposal. The site was designated in the Belfast Metropolitan Area Plan 2015 with land zoned as existing Open Space.

The case officer reported that although the site had been identified as an area of existing open space it was located on a footpath adjoining the Shore Road which was an arterial route. The location of the mast and cabinets would be against a backdrop of trees along the Shore Road which would minimise any visual impact and therefore the proposal was not considered to be obtrusive. In addition, the case officer advised that an International Commission for Non Ionising Radiation Protection (ICNIRP) Declaration had been received which demonstrated that the proposal met the ICNIRP guidelines.

The Committee was advised that 246 objections had been received, which included a letter of objection from Mr. N. Dodds, MP and a late written submission from Alderman. G. Spence. The case officer advised that the application had been assessed against relevant planning policy, particularly PPS10 telecommunications. All objections had been considered within the context of the planning policy and all consultees had raised no objections and therefore the proposal was deemed to comply with the development plan regional planning policy.

The Committee received representations from Mr. Samuel, objector, and Mr. L. Ross, agent.

Mr. Samuel advised the Committee that he was representing Loughside Concerned Residents who were opposed to the erection of this mast. He outlined that residents of this group felt that their objections in relation to the impact of the health and wellbeing of local people had been dismissed. He highlighted the number of objections which had been received and also stated that, in his opinion, the consultation process had been very disjointed. He stated that the location of this proposal was near to a play
park, which appeared to also have been ignored within the context of the report, and he highlighted that one of the objections received had been from Playboard NI. The representative proceeded to outline in detail the health and safety concerns of the local community and the specific reasons as to why this proposal should not be permitted to proceed.

Mr. Ross, explained that this application was a joint application between Telefonica (O2) and Vodafone and formed part of a regional rollout of 4G mobile services. He outlined that the main Political Parties, businesses and the general public were all calling for better mobile phone coverage. In addition to this, the Government recognised that high quality communications infrastructure was essential for economic growth and also identified a need for a more efficient telecommunications infrastructure that would give Northern Ireland a competitive advantage. He advised the Committee that this site had been one of 8 possible options considered but each of the others had been ruled out at various stages. He also stated that mast sharing had been explored but there had been no existing masts in the immediate vicinity and he stressed the need for this mast which he suggested would help play a vital role in improving telecommunications coverage for the area.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer’s report.

Z/2014/1083/F 4 semi detached houses, 34 apartments, basement car park, access road at 733 - 735 Antrim Road

The Committee was advised that this application sought full planning permission for 4 semi-detached dwellings and 34 apartments. The case officer advised that the principle of development had already been established under Z/2008/1469/F and in the most part it replicated the current application.

The Committee was advised that NI Water, Transport NI, Environmental Health and Rivers Agency had no objections to the proposal. She explained that the area was predominantly residential and, while the proposal would have an impact on the residential amenity of neighbouring properties, that separation distances and proposed landscaping would mitigate any impact. The Members were advised that there would be basement car parking, with 27 spaces in each block of apartments.

The case officer highlighted to the Committee that the resident of no. 737 had submitted late correspondence raising issues about the shared boundary and a loss of vegetation and that this was included in the late items pack. She confirmed that, if the application was to be approved, a condition would be placed on the applicant to prohibit any loss of vegetation on that boundary.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.
LA04/2016/2489/F retail warehouse unit with internal mezzanine floor at Shane Retail Park

The case officer explained to the Committee that planning permission was being sought for the erection of a retail warehouse building for the sale of bulky goods, with an internal mezzanine floor and associated general site works.

She outlined that the site was within the designated development limits for the city within the Area Plan (BMAP 2015) and was unzoned white land located within the Boucher Road area of the city.

The Committee was advised that a review of available sites had indicated that sequentially preferable locations which could accommodate the proposal were available within the primary retail core, city centre and district centres and that the proposal therefore failed the sequential test as set out in the SPPS. However, she outlined that the proposal would not significantly impact on Belfast City Centre or other protected centres.

She also outlined that, in relation to the history of the site, two retail units had been approved on the site in 2009 and, whilst the permission had expired in 2014, it was considered material. The case officer also explained that the restriction to ‘bulky goods’ sales was compatible with the other units in the Retail Park.

The Members were advised that no representations had been received regarding the proposal and no objections had been received from the relevant consultees.

The Committee granted approval, subject to the conditions set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

LA04/2017/0562/F 12 Storey Grade A office Demolition of existing cinema Building and erection of a 12 storey Grade A office building, basement parking and the refurbishment of Bankmore Square open space and wider public realm improvements at 14 Dublin Road and Bankmore Square

The Committee was advised that the application sought full permission for a 12 storey office development with ground floor retail, basement parking and the refurbishment of Bankmore Square.

The case officer detailed that the site was located within Belfast City Centre as designated in the Belfast Metropolitan Area Plan and that it was also within the Shaftesbury Square Character Area (CC013) and along a major road proposal. She continued that the site location adjacent to Bankmore Square, whilst not typical in the area, was ameliorated and its impact somewhat reduced by the particular setting of the large open space area of Bankmore Square. The case officer highlighted that the applicant had taken part in a very productive Pre Application Discussion (PAD) process and that the applicant had also agreed to enter into a Section 76 legal agreement in
respect of developer contributions to provide an update to the public open space of Bankmore Square and to provide public realm improvements around the proposed building.

The Committee received a representation from Mr. C. Shanks, agent. Mr. Shanks advised that the proposal sought demolition of the existing cinema building and the erection of a 12 storey Grade A office building comprising 11 floors of offices above a ground floor foyer, along with retail units, basement parking and other ancillary works. He asked the Committee to note that this was a £65 million capital investment for the City which would generate rates revenue and taxes. Mr. Clyde outlined a range of issues in support of the application and concluded that the build would also create work for the local construction industry.

The Committee approved the application, subject to the imposing of the conditions set out in the case officer’s report and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the City Solicitor, to enter into discussions with the applicant to explore the scope of any Planning Agreements which might be realised by way of developer contributions and, if so, to enter into such an Agreement on behalf of the Council. The Committee also delegated power to the Director of Planning and Place to finalise the wording of the conditions.

(Meeting adjourned for 10 minutes at this point)

LA04/2016/1830/F 21 class primary school and nursery unit at Holy Evangelist Primary School, Glasvey Drive

The Committee was advised that this application sought full planning permission for the erection of a new 21 class primary school and nursery unit to replace the existing primary school, associated car parking, landscaping, site works and new access arrangements from Glasvey Drive.

The case officer explained that the proposed site was located within an existing primary school complex, with the replacement building mostly two storeys in height, with a separate detached single storey nursery building.

The Committee was advised that the site was located within the development limits of Belfast in the Belfast Metropolitan Area Plan and was not subject to any zoning. He outlined that the re-configuration of buildings and open spaces/car parking provision would result in a loss of some open space, contrary to PPS 8, but that given the poor condition of the current school it was considered that the community benefit of improved school facilities outweighed the retention of this space.

The Members noted that no objections had been received from any statutory consultees or the public.

The Committee granted approval, subject to the conditions set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.
LA04/2016/2276/F conversion to ground floor hot food bar and 4 first/second floor apartments at 137 Albertbridge Road

The case officer advised the Committee that the application sought full planning permission for conversion and change of use from a vacant bookmakers (sui generis) premises to a ground floor hot food bar (sui generis) with first/second floor apartments (4 units) above.

The Committee was advised that the conversion would regenerate a vacant building on an arterial route. He outlined that space standards for accommodation did not apply as the site was on an arterial route and was also a conversion. He pointed out that no representations had been received and that Environmental Health had no objections, subject to appropriate noise and odour proofing being provided.

In response to a Member’s query regarding apartments above hot food bars, the case officer explained that two previous applications which had been refused had been overturned on appeal. The Director of Planning and Place agreed to submit regular reports to the Committee outlining any trends which had arisen from Planning Appeals decisions.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report.

LA04/2016/0051/F residential building consisting of six apartments at 82 Eglantine Avenue

(Councillor Lyons had left the room whilst the item was under consideration)

The case officer outlined that the application was for alterations to the internal layout of 82 Eglantine Avenue, facilitating a new residential building consisting of 6 one bedroom apartments. She provided an overview of the site history and explained to the Members that a number of properties in the surrounding area had been granted extensions and alterations, including an extended rear return, and that demolition consents had been granted for the rear portions of buildings and the retention of front facades.

She explained that the application had been assessed against the SPPS, Planning Policy Statement 3, 6, 7, Addendum to 7, DCAN 8 and 15, Malone Design Guide, Creating Places and Supplementary Guidance – Parking Standards.

She highlighted to the Committee that, under PPS 7 Policy QD1, proposed developments should respect the character of the site by way of an acceptable layout and should present an attractive outlook rather than unsightly views of back land areas. She highlighted to the Committee that apartment 2 within the application would have a rear facing outlook to the communal amenity space and bin/storage area, with the lower half of the windows in the apartment proposed to be obscured to prevent overlooking by other residents while using the communal areas. The Members were advised that this was contrary to policy QD1.
The Members were advised that there had been fifteen objections, four of which had been received after the amended plans had been submitted.

The case officer outlined that, after assessment, the application had been deemed unacceptable and was recommended for refusal.

The Committee received representation from Mr. D. Monaghan, planning consultant. In relation to the outlook from the windows in apartment 2, he advised that a new, 800ft² garden would be created to the rear of the property, exceeding the size required under the relevant design guidance, Creating Places. He explained that the view from the kitchen and living area from the apartment would look onto the garden. In relation to privacy, he advised that the use of low-glare, reflective glazing on windows in apartment 2 would enable the residents to see out while preventing those in the communal areas from being able to see in.

The Chairperson thanked Mr. Monaghan for his representation and he retired from the meeting.

During discussion, the case officer explained that reflective glazing, as outlined, would not be sufficient as the Policy document stated that apartments should have a lively outlook and apartment 2 was wholly to the rear, with only a view of the garden and bin area.

**Proposal**

Moved by Councillor Garrett, and
Seconded by Councillor Magee,

That the Committee agrees to defer consideration of the application in order to undertake a site visit to allow the Committee to acquaint itself with the location and the proposal at first hand and that additional information on reflective glazing be submitted to the next meeting.

On a vote by show of hands five Members voted for the proposal and four against and it was declared carried.

**LA04/2016/0688/F Conversion of existing Scottish Mutual Building to Boutique Hotel**

(Councillor Lyons returned to the Committee table at this point)

The Committee was advised that this proposal sought permission for conversion of the existing Scottish Mutual Building to a Boutique Hotel comprising of public bars, restaurants, functions spaces and hotel bedrooms to include internal and external alterations and additions, including cone roofs and corner turrets, and enclosed external seating areas on Bedford Street.
Planning Committee,
Tuesday, 16th May, 2017

The case officer outlined that this was a revision to a previously approved scheme and he detailed that these revisions included revised ground and first floor layouts and a formal external seating area along Bedford Street.

The Committee noted that, given the site context and the previous approval which remained extant, the proposed hotel and uses were considered acceptable.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

**LA04/2016/2466/F 3 storey rear office extension at Newsletter Building 55-59 Donegall Street**

The Committee considered an application seeking full planning permission for a 3 storey rear extension to the Newsletter Building on Donegall Street.

The case officer advised that the site of the proposal was located within Belfast City Centre as designated in the Belfast Metropolitan Area Plan. It was also within the Cathedral Quarter Conservation Area and the Scotch and Cathedral Quarters Character Area. The Committee noted that the principle of the office extension and loss of car parking spaces were acceptable given the city centre location.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer’s report.

**Z/2014/1277/F residential development at 581 Shore Road**

The Committee was advised that this application sought full planning permission for a residential development comprising of 31 dwellings (1 no detached, 12 no semi-detached and 18 no townhouses).

The case officer advised that the site was located within the development limits as designated within the Belfast Metropolitan Area Plan and that the principle of residential accommodation on the site was considered acceptable. The proposal was located within an established residential area and was compliant with Policy QD 1 of PPS 7 in that it would create a sustainable and quality residential environment. It was reported that the development respected the surrounding context, there was adequate amenity space provided and the form, materials and design were all in keeping with the area. The Committee noted that the proposal would not have a detrimental impact on the amenity of existing and proposed residents.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.
Planning Committee,
Tuesday, 16th May, 2017

LA04/2017/0231/F Variation of conditions, Lidl, Connswater Shopping Centre

The case officer outlined the contents of the report and informed the Committee that the application sought planning permission for the variation of condition 2 (gross floorspace restriction) and condition 3 (net retail floorspace restriction) of planning permission LA04/2015/0160/F, variation of condition to permit sales of convenience goods and all types of comparison goods. The application sought to remove reference to the approved floor plan and to allow for the reconfiguration of the ground floor layout and an increase to the overall gross floorspace at Units 2, 3 and 4 at Connswater Retail Park.

The Committee was advised that the proposal would not result in any intensification in use over and above that previously deemed acceptable under application LA04/2015/0160/F, and it was therefore considered that this would not result in any detriment to the amenity of neighbouring properties in accordance with the SPPS.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

LA04/2015/0685/F 30 student apartments at 89-101 Royal Avenue

(Councillor Bunting had left the room whilst the item was under consideration)

The Committee was advised that full planning permission was sought for a change of use from office to student apartments on the upper floors (4 in total) with a proposed roof top extension to provide student accommodation with a roof terrace. They were asked to note that alterations would also include restoration to the façade, replacement of windows and refurbishment of the entrances to the building. A total of 30 student apartments was being proposed.

The case officer reported that Sinclair House was a Grade B+ Listed Building occupying a prominent site at the north end of Royal Avenue and that an application for listed building consent had also been submitted alongside this full application.

The Committee was advised that it was considered that the proposed alterations, extension and refurbishment would enhance the appearance of the existing building, which in turn would make a positive contribution to the character of the Conservation Area at this location and ensure the restoration of this Grade B+ listed building.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.
LA04/2015/1160/F 18 apartments at 165-169 Holywood Road

The case officer advised the Committee that the application sought full planning permission for the demolition of the Stormont Inn and the construction of 18 apartments.

The Committee noted that the proposal had been assessed against the relevant planning policy and having regard to the policy context and Development Plan the proposal was considered to be acceptable.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

LA04/2016/0868/F additional retail on the first floor with storage on the second floor at 52-54 Boucher Crescent.

The Committee considered an application seeking full planning permission for the proposed alteration and extension to the rear of the existing Creations premises, to provide additional retail on the first floor with storage on the second floor. Ground floor parking would be retained but rearranged around the existing structure.

The case officer advised that the application had been assessed against the relevant planning policies including BMAP, the Strategic Planning Policy Statement (SPPS), PPS 3: Access, Movement and Parking, PPS 6: Planning, Archaeology and the Built Heritage, and associated supplementary guidance. He highlighted that, in accordance with the requirements of the SPPS, a Retail Impact Assessment had been submitted and, on the basis of the information provided, it was considered that the proposal complied with the SPPS.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

LA04/2016/1347/F 7 apartments at 16-18 Glen Road

The Committee was informed that the application sought permission for full planning permission for the demolition of the existing building and erection of 7 Apartments in a single two storey block with associated car parking and landscaping. This was an amended scheme to that which had originally been proposed, which had been for 8 apartments comprising of 2 blocks of 4 apartments.

The case officer highlighted that the site was located within the development limits of Belfast in the Belfast Metropolitan Area Plan and was identified as whiteland.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to consider any late representations and to finalise the wording of the planning conditions.
LA04/2016/2275/F playground and fence on open space adjacent to Glenbryn Park

The Committee considered an application to install a playground for public use and erect a 1.2m high fence around the boundary of the open space with pedestrian access.

The Committee was advised that this was a Belfast City Council application. The case officer informed the Committee that the site was currently zoned for housing in BMAP and that this proposal would not compromise the delivery of housing in the area. He reported that the proposal would provide a significant environmental enhancement in the area and provide a valuable community facility where there was a current under provision.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report and delegated authority to the Director of Planning and Place to agree and finalise the wording of the planning conditions.

LA04/2017/0362/F change of use from retail to hot food bar at 368 Upper Newtownards Road

(Councillor Magee who had declared an interest in the next application, withdrew from the table whilst it was under discussion and took no part in the debate or decision-making process.)

The Committee considered an application for the change of use from retail premises to a hot food bar with elevation alterations and rear extraction flue.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report.

LA04/2016/0006/F change of use to ground floor from shop to hot food takeaway at 45 Manor Street

The Committee considered an application for the change of use of the ground floor shop to a hot food takeaway.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report.

LA04/2016/0849/F bookmakers and six apartments at 132-134 Ormeau Road

(Councillor Magee returned to the Committee table at this point)

The Committee considered an application for the part demolition of the rear return and alteration and extension to the existing building, creating a bookmakers at ground floor and six apartments at first and second floor.
The case officer outlined that the proposal was essentially the creation of two additional residential units and a reconfigured bookmaker’s office.

The Committee granted approval, subject to the imposing of the conditions as set out within the case officer’s report.

**LA04/2016/0950/F 7 dwellings at 172 - 174 Finaghy Road South**

The Committee was informed that the application sought permission for a residential development comprising 7 detached dwellings with associated car parking and landscaping.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer’s report.

Chairperson
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<table>
<thead>
<tr>
<th>Subject:</th>
<th>Notice of Motion re: Developers’ Contributions</th>
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<tbody>
<tr>
<td>Date:</td>
<td>20th June, 2017</td>
</tr>
<tr>
<td>Reporting Officer:</td>
<td>Phil Williams, Director Planning and Place</td>
</tr>
<tr>
<td>Contact Officer:</td>
<td>Eilish McGoldrick, Democratic Services Officer (6307)</td>
</tr>
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</table>

**Restricted Reports**

<table>
<thead>
<tr>
<th>Is this report restricted?</th>
<th>Yes [ ] No [X]</th>
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<tbody>
<tr>
<td>If Yes, when will the report become unrestricted?</td>
<td></td>
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<tr>
<td>After Committee Decision</td>
<td>[ ]</td>
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<tr>
<td>After Council Decision</td>
<td>[ ]</td>
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<tr>
<td>Some time in the future</td>
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<tr>
<td>Never</td>
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**Call-in**

| Is the decision eligible for Call-in? | Yes [X] No [ ] |

1.0 **Purpose of Report or Summary of main Issues**

To consider a notice of motion in relation to Developers’ Contributions which, in accordance with standing orders, was referred to the Committee by the Council at its meeting on 1st June, 2017.

2.0 **Recommendations**

The Committee is asked to consider the notice of motion and to take such action thereon as may be determined.

3.0 **Main report**
In accordance with notice on the Council agenda, Councillor Garrett proposed:

“This Council recognises the positive role that has come about through the devolution of planning powers from the Assembly to local councils within the review of public administration.

Planning powers delivered through local councils offers open, accountable and democratic decision-making by councillors elected by the citizens of Belfast.

Devolved planning powers also offers a unique ability through major development proposals to exercise its power in attaining ‘Section 76 Legal Agreements,’ more commonly referred to as ‘Developers Contributions’.

The Council will seek to ensure that any contribution framework that it adopts has the ability to target social need far beyond the ‘City Core’ and benefit residents in each quarter of this City. It will also look favourably on the creation of an accumulative contribution fund within this framework to bring about wider community benefit, target social need as well as fulfilling the legal obligations of Section 76 Planning Agreements, Developers Contributions.”

The motion was seconded by Councillor McAteer.

In accordance with Standing Order 13(f), the motion was referred, without discussion, to the Planning Committee.

Financial & Resource Implications

None.

Equality or Good Relations Implications

None.

4.0 Appendices – Documents Attached

None.
Planning Committee

Wednesday, 14th June, 2017

PLANNING COMMITTEE SITE VISIT – NOTE OF MEETING

Members Present: Councillor Lyons (Chairperson); Councillors Johnston and McAteer.

In Attendance: Mr. P. Fitzsimons and Ms. E. McGoldrick.

Apologies

Apologies were received on behalf of Alderman McGimpsey and Councillors Armitage, Bunting and Garrett.

Site Visit

Further to its decision of 16th May, the Committee convened at 1:00 pm at the City Hall for the purpose of undertaking site visit in respect of LA04/2016/0051/F residential building consisting of six apartments at 82 Eglantine Avenue.

The Chairperson reminded the Members, given the issues which had been raised regarding the reason for refusal, the Committee had agreed to defer consideration of the application in order to undertake a site visit to allow the Committee to acquaint itself with the location and the proposal at first hand and that additional information on reflective glazing had also been requested.

The Committee noted that the application would be reconsidered in due course.

The site visit concluded at 1.45pm.

Noted.

Chairperson
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PLANNING COMMITTEE – 20 JUNE 2017

APPEALS NOTIFIED

COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2017/A0032

PLANNING REF: LA04/2016/2318/A

APPLICANT: Sam Morrison (Corbo Properties)

LOCATION: Cityside Retail and Leisure Park, York Street, Belfast

PROPOSAL: 2 No banner signs (Henry Street and York Street car park elevation)

PROCEDURE:

ITEM NO 2 PAC REF: 2017/A0048

PLANNING REF: LA04/2016/2247/F

APPLICANT: Colin Johnston

LOCATION: 14C Adelaide Park, Malone, Belfast

PROPOSAL: Erect wooden garden fence 6m wide to westside of 14c. To prevent trespass we have made 3-2m (2-0mt 1.2) high (Retrospective)

PROCEDURE:
APPEAL DECISIONS NOTIFIED

ITEM NO | 1 | PAC Ref: 2016/A0207
---|---|---
PLANNING REF: | LA04/2016/0656/F
RESULT OF APPEAL: | Allowed
APPLICANT: | Liam and Deirdre Burns
LOCATION: | 2 Old Coach Road, Belfast, BT9 5PR
PROPOSAL: | Erection of garage to front of dwelling.

ITEM NO | 2 | PAC Ref: 2016/A0177
---|---|---
PLANNING REF: | LA04/2015/0984/F
RESULT OF APPEAL: | Allowed
APPLICANT: | Mr Ronan O’Doherty
LOCATION: | 83 Sicily Park, Finaghy, Belfast
PROPOSAL: | Erection of single storey rear extension.
## Planning applications Decisions Issued from 8 May 2017 to 9 June 2017

Number of applications : 214

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Applicant Name &amp; Address</th>
<th>Location</th>
<th>Proposal</th>
<th>Decision</th>
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<tbody>
<tr>
<td>LA04/2015/0684/LBC</td>
<td>Cathedral Living Group Ltd 70-74 Donegall Street Belfast BT1 2GW</td>
<td>89-101 Royal Avenue Belfast BT1 1FE</td>
<td>Alteration, extension (additional floor) and change of use to existing listed building to provide 30 No. student apartments</td>
<td>Consent Granted</td>
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<tr>
<td>LA04/2015/0685/F</td>
<td>Cathedral Living Group Ltd 70-74 Donegall Street Belfast BT1 2GW</td>
<td>89-101 Royal Avenue Belfast BT1 1FE</td>
<td>Alteration, extension (additional floor) and change of use to existing listed building to provide 30 No. student apartments</td>
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<tr>
<td>LA04/2015/0754/A</td>
<td>McDonald's Restaurants Limited 11-59 High Road East Finchley London N2 8AW</td>
<td>233-263 Shore Road Belfast BT15 3PR</td>
<td>Installation of 1 illuminated freestanding 12m totem sign</td>
<td>Consent Granted</td>
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<tr>
<td>LA04/2015/0829/O</td>
<td>Ms Doris Moore 2 Drumankelly Road Stoneyford Lisburn BT28 3RA</td>
<td>60m South East of 9 Glenside Road Dumnurry Belfast BT17 0LH</td>
<td>Site for Dwelling on a farm</td>
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<tr>
<td>LA04/2015/1160/F</td>
<td>Stormont Inn Ltd 41 Donegall Street Belfast BT1 2FG</td>
<td>165-169 Holywood Road Belfast BT4 3BE</td>
<td>Demolition of existing building and construction of 18 apartments with balconies.</td>
<td>Permission Granted</td>
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<tr>
<td>LA04/2016/0006/F</td>
<td>M &amp; M 101-107 Camlough Road Bessbrook Newry BT35 7EE</td>
<td>45 Manor Street Belfast BT14 6LF</td>
<td>Change of use to ground floor from shop to hot food takeaway</td>
<td>Permission Granted</td>
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<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<td>Decision</td>
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<tr>
<td>LA04/2016/0088/F</td>
<td>Mr &amp; Mrs Brown 15 Ballylenaghan Park Belfast BT8 6WP</td>
<td>30 Church Road Belfast BT8 7AQ</td>
<td>One detached replacement dwelling (Amended Plans)</td>
<td>Permission Refused</td>
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<tr>
<td>LA04/2016/0096/F</td>
<td>Titanic Quarter Ltd Titanic Foundation Limited Titanic House 6 Queens Road Belfast BT3 9DT</td>
<td>Former Harland And Wolff Headquarters Building and Drawing Offices Queens Road Belfast BT3 9DU</td>
<td>Amended Proposal to include additional internal groundfloor dining and plant areas. Amendment to permission Z/2014/1555/F for refurbishment, part restoration, change of use and extension to listed former Harland &amp; Wolff Headquarters Building and to provide 36no. additional bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and associated access and site works.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/0097/LBC</td>
<td>Titanic Quarter Ltd and Titanic Foundation Limited Titanic House 6 Queens Road Belfast BT3 9DT</td>
<td>Former Harland and Wolff Headquarters and Drawing Offices Queens Road Belfast BT3 9DU</td>
<td>Amendment to listed building consent application Z/2014/1580/LBC for refurbishment, part restoration, change of use and extension to the listed former Harland &amp; Wolff Headquarters to provide 36no. additional bedrooms (120No. in total) in a new annex, including service area, covered terrace, ancillary uses and site works, and including the retention and repair of historic decorative features, upgrade of windows, external structural works and cleaning, removal of internal partitioning, installation of new heritage roof lights, external and internal works including re-use of materials and installation of new materials (brickwork, cladding and joinery works).</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2016/0496/A</td>
<td>Mr G Cullinan 37 Hillside Crescent Stranmillis Belfast BT9 5EN</td>
<td>Castlereagh Pharmacy 339 Castlereagh Road Belfast BT5 6AB</td>
<td>Projecting illuminated LED sign</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/0536/A</td>
<td>Homefit 4 Hannahstown Hill Belfast BT17 0LT</td>
<td>30 Kennedy Way Belfast BT11 9AP</td>
<td>Free standing shop sign.</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>LA04/2016/0548/F</td>
<td>Kilmona Property LTD Adelaide House 1 Falcon Road Belfast BT12 6SJ</td>
<td>Londonderry House 19 - 27 Chichester Street Belfast BT1 4JB</td>
<td>Partial demolition of existing office building to provide 8 storey office building with retail space on ground floor.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/0559/F</td>
<td>Kilmona Property LTD Adelaide House 1 Falcon Road Belfast BT12 6SJ</td>
<td>Site at the junction of Stewart Street/East Bridge Street and West of Central Station East Bridge Street Belfast</td>
<td>Proposed construction of 4No separate blocks of office development - Block A 10 No Storeys, Block B 14 No Storeys, Block C and Block D 3No Storeys. Proposal also includes 4 No retail units, plant and car parking at lower ground floor level with external plaza and associated landscaping (amended description, amended plans, additional supporting information submitted)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/0574/DCA</td>
<td>Kilmona Property LTD Adelaide House 1 Falcon Road Belfast BT12 6SJ</td>
<td>Londonderry House 19 - 27 Chichester Street Belfast</td>
<td>Demolition of existing building</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/0734/F</td>
<td>Mr F Lunny 3 Marlborough Heights Castlereagh Belfast BT6 9QR</td>
<td>3 Marlborough Heights Castlereagh Belfast BT6 9QR</td>
<td>Dormer to the rear of property.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<td>LA04/2016/0765/F</td>
<td>Peter Quinn Ltd 13 Cargie Road</td>
<td>226 Antrim Road Town Parks</td>
<td>Change of use and extension to existing building to office (ground floor)(use class A2) and 2 apartments</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>Cullyhanna Newry BT35 0JS</td>
<td>Belfast BT15 2AR</td>
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<tr>
<td>LA04/2016/0802/F</td>
<td>Dr M Anandarajan 68 Bristow Park</td>
<td>68 Bristow Park BT9 6TJ</td>
<td>Two storey rear extension, single storey side extensions, conversion of garage to habitable space, roof space conversion and alterations to access (Amended Proposal Plans).</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>Belfast BT9 6TJ</td>
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<tr>
<td>LA04/2016/0813/F</td>
<td>Somerton Private Nursing Home</td>
<td>Somerton Private Nursing Home</td>
<td>Biomass Boiler House (Retrospective)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>77 Somerton Road Belfast BT15 4DE</td>
<td>77 Somerton Road Belfast BT15 4DE</td>
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<tr>
<td>LA04/2016/0849/F</td>
<td>Sean Graham Oyster House 12 Wellington Place</td>
<td>132-134 Ormeau Road Belfast BT7 2EB</td>
<td>Proposed part demolition to the rear return and alteration and extension to the existing building, creating a bookmakers at ground floor and six apartments at first and second floor (Amended scheme)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>Belfast BT7 2EB</td>
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<tr>
<td>LA04/2016/0868/F</td>
<td>Creations Interiors Ltd 52-54 Boucher Crescent</td>
<td>52-54 Boucher Crescent Belfast BT12 6HU</td>
<td>Proposed alteration and extension to rear of premises to provide additional retail on the first floor with storage on the second floor. Ground floor parking to be retained but rearranged around existing structure.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>Boucher Crescent Belfast BT12 6HU</td>
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<tr>
<td>LA04/2016/0873/F</td>
<td>Paul And Claire Savage Edenderry House</td>
<td>Edenderry House 133 Ballylesson</td>
<td>Restoration, conservation and extension works to a listed building comprising of 2-storey and 1.5-storey rear return extensions, elevation changes and internal reconfiguration</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>Road Belfast BT8 8JU</td>
<td>Road Belfast BT8 8JU</td>
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<td>Reference Number</td>
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<tr>
<td>LA04/2016/0950/F</td>
<td>O B C Developments 115 Dromore Road Hillsborough BT26 6JA</td>
<td>172 - 174 Finaghy Road South Belfast</td>
<td>Proposed Residential development comprising of seven detached dwellings with associated car parking and landscaping (Amended Scheme)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/0954/DCA</td>
<td>Dr M Anandarajan 68 Bristow Park Belfast BT9 6TJ</td>
<td>68 Bristow Park Belfast BT9 6TJ</td>
<td>Demolition of existing boundary wall and sections of rear and side elevations</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/0965/LBC</td>
<td>Paul and Claire Savage Edenderry House 133 Ballylesson Road Belfast BT8 8JU</td>
<td>Edenderry House 133 Ballylesson Road Belfast BT8 8JU</td>
<td>Restoration, conservation and extension works to a listed building comprising of 2-storey and 1.5-storey rear return extensions, elevation changes and internal reconfiguration.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/1050/NMC</td>
<td>McAleer and Rushe</td>
<td>Land South of Franklin Street East of Brunswick Street and West of McClintock Street Belfast BT2 7GX</td>
<td>Non-material change to LA04/2015/0418/F.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/1119/DCA</td>
<td>Ballymena Land Investment Company Ltd 4 Malone Road Belfast BT9 5BN</td>
<td>37 Stranmillis Road Belfast BT9 5BN</td>
<td>Demolition of one chimney, construction in part imperial brick and in part metric brick, bricks not matching in dimensions nor colour.</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>LA04/2016/1347/F</td>
<td>OBC Developments 115 Dromore Road Hillsborough BT26 6JA</td>
<td>16-18 Glen Road Castlereagh Belfast BT5 7JH</td>
<td>Demolition of existing building and erection of 7no. apartments in a single two storey apartments with associated car parking and landscaping.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1399/A</td>
<td>Clear Channel NI Ltd Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Boundary fence of service yard at 47 Kennedy Way junction of Blackstaff Road Belfast</td>
<td>One free standing 48 sheet display panel</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2016/1492/F</td>
<td>Cecil David Lynn  2 Roddens gardens Belfast BT5 7JJ</td>
<td>2 Roddens Gardens Belfast BT5 7JJ</td>
<td>Proposed detached 1.5 storey garage with 1st floor games room</td>
<td>Permission Refused</td>
</tr>
<tr>
<td>LA04/2016/1565/LBC</td>
<td>Dunedin Developments Ireland Mallusk Road Newtownabbey BT36 4PP</td>
<td>12 College Square North Belfast</td>
<td>Change of use from youth hostel to 6 apartments. Demolition of 2 storey rear extension and construction of railing, roof windows, chimney. Elevation changes.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/1566/F</td>
<td>Dunedin Developments Ireland Mallusk Road Newtownabbey BT36 4PP</td>
<td>12 College Square North Belfast</td>
<td>Change of use from youth hostel to 6 apartments. Demolition of 2 storey rear extension and construction of 2 storey rear extension. Erection of railing, roof windows and chimney, elevation changes.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1717/F</td>
<td>Viewpoint Developments Ltd 10a Ballynahinch Street Hillsborough BT26 6AW</td>
<td>60 - 62 Castlehill Road Belfast BT4 3GP</td>
<td>Erection of 2 semi-detached dwellings and associated site works (Change of house type previously approved under Z/2007/1771/F)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1729/F</td>
<td>David Jones  36 Cyprus Avenue Belfast BT5 5NT</td>
<td>36 Cyprus Avenue Belfast BT5 5NT</td>
<td>Single storey side extension and rear elevation with flat roof</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1790/F</td>
<td>Palaia Limited  98 Church Street Dromore BT25 1AA</td>
<td>87 Malone Avenue/ 6 Eglantine Place Belfast BT9</td>
<td>Erection of new building comprising 7No. flats- Using salvaged brick to reform front and main gable facades to match approval Z/2013/0497/F (with minor amendments)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1793/DCA</td>
<td>Palaia Limited  98 Church Street Dromore BT25 1AA</td>
<td>87 Malone Avenue/ 6 Eglantine Place Belfast BT9</td>
<td>Demolition of building (Retrospective)</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2016/1830/F</td>
<td>Trustees Of Holy Evangelist Primary School Parochial House Twinbrook Dunmurry BT17 0RD</td>
<td>Holy Evangelist Primary School Glasvey Drive Dunmurry BT17 0DB</td>
<td>Erection of new 21 class primary school and nursery unit to replace the existing primary school, associated car parking, landscaping, site works and new access arrangements from Glasvey Drive.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1869/F</td>
<td>The Board Of Trustees St Malachys College 36 Antrim Road Belfast BT15 2AE</td>
<td>St Malachys College 36 Antrim Road Belfast BT15 2AE</td>
<td>New extension to sports hall block to provide new foyer and staff rooms. New multi use play area with associated fencing.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1924/F</td>
<td>Mr P Moreland 24 Upper Green Dunmurry Belfast BT17 0EL</td>
<td>24 Upper Green Dunmurry Belfast BT17 0EL</td>
<td>2 storey rear extension including demolition of existing two store garage and lean to to rear.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1942/RM</td>
<td>Belfast City Council 1st Floor Adelaide Exchange 24-26 Adelaide Street Belfast BT2 8GD</td>
<td>Boucher Road adjacent to lands at Olympia Leisure Centre Belfast BT12 6HR</td>
<td>Proposed right hand turn junction to provide access from Boucher Road to Olympia Sports Village approved under planning application Z/2014/0587/O</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/1955/DCA</td>
<td>Mr David Jones 36 Cyprus Avenue Belfast BT5 5NT</td>
<td>36 Cyprus Avenue Belfast BT5 5NT</td>
<td>Demolition of single storey kitchen with mono pitch roof measuring 14.08 sqm and demolition of single storey wall enclosing rear yard. This annex does not form part of the original construction. Also alterations to existing side elevation wall at rear yard.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/2008/DC</td>
<td>University Of Ulster</td>
<td>Metropole Orpheus Interpoint York House Playboard and Block 82 York Street/ Fredrick Street/ great Patrick Street Belfast BT15 1ED</td>
<td>Discharge of condition 20 planning approval Z/2010/0361/F</td>
<td>Approval</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2016/2011/DC</td>
<td>University Of Ulster</td>
<td>Metropole Orpheus Interpoint York House. Playboard and Block 82 York Street/Fredrick Street/Great Patrick Street Belfast BT15 1ED</td>
<td>Discharge of condition 23 planning application Z/2012/0361/F</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2016/2012/DC</td>
<td>University Of Ulster</td>
<td>Metropole Orpheus Interpoint York House Playboard and Block 82 York Street/Fredrick Street/Great Patrick Street Belfast BT15 1ED</td>
<td>Discharge of condition 7 planning application Z/2013/0361/F</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2016/2027/F</td>
<td>Telefonica UK Limited</td>
<td>260 Bath Road Slough SL1 4DX</td>
<td>Proposed 17.5m telecommunications mast and associated works including 3no. equipment cabinets.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2029/F</td>
<td>David Copeland</td>
<td>93 Stockmans Lane Belfast BT9 7JD</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2038/F</td>
<td>Linfield Properties</td>
<td>Weavers Court Business Park Linfield Road Belfast BT12 5GB</td>
<td>Refurbishment and change of 3no. units (11, 12 &amp; 13) from existing warehouse (Class B2 &amp; B4) to office space (Class B1). Demolition of 2No. existing warehouses (Unit 14 Weavers Court &amp; Academy warehouse 77 Blythe Street). Footprint of demolition units to become new car parking area, amenity space and vehicle turning</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
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<tr>
<td>LA04/2016/2069/F</td>
<td>Robert Campbell 14a Squires Hill Road Belfast BT14 8FJ</td>
<td>14a Squires Hill Road Belfast BT14 8FJ</td>
<td>Single storey garage</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2094/DC</td>
<td>Liberante Developments Ltd 55-71 Ormeau Road Belfast BT7 1DY</td>
<td>Discharge of Condition No. 02 of planning approval Z/2010/0245/F.</td>
<td>Approval</td>
<td></td>
</tr>
<tr>
<td>LA04/2016/2143/A</td>
<td>Clear Channel NI Ltd Channel Commercial Park Queens Road Belfast BT3 9DT Vacant ground opposite 155 Andersonstown Road Belfast</td>
<td>1no 96 sheet and one 48 sheet free standing display panels</td>
<td>Consent Refused</td>
<td></td>
</tr>
<tr>
<td>LA04/2016/2157/F</td>
<td>John McFall 32 Lille Park Belfast BT10 0LR</td>
<td>32 Lille Park Belfast BT10 0LR</td>
<td>Two storey side extension, elevation changes.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2201/F</td>
<td>Clare Batsford 21 Waterloo Park North Belfast BT15 5HW</td>
<td>21 Waterloo Park North Belfast BT15 5HW</td>
<td>Two storey rear and side extension (Amended Address)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2212/F</td>
<td>Mr Tristan Haldane 61 Balmoral Avenue Belfast BT9 6NX</td>
<td>61 Balmoral Avenue Belfast BT9 6NX</td>
<td>Proposed alterations to dwelling and new side entrance</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2228/F</td>
<td>Ursula Maguire 71 Dermott Hill Road Belfast BT12 7GB</td>
<td>71 Dermott Hill Road Belfast BT12</td>
<td>Erection of 2 storey dwelling involving associated works.</td>
<td>Permission Refused</td>
</tr>
<tr>
<td>LA04/2016/2268/LBC</td>
<td>Somerton Private Nursing Home 77 Somerton Road Belfast BT15 4DE</td>
<td>Somerton Private Nursing Home 77 Somerton Road Belfast BT15 4DE</td>
<td>Biomass Boiler House (Retrospective)</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2016/2275/F</td>
<td>Belfast City Council</td>
<td>Open space adjacent to Glenbryn Park Belfast BT14 7JG</td>
<td>Provision of playground and erection of fence.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>Catherine Weir LP&amp;D Officer 24-26 Adelaide Street Belfast BT2 8GD</td>
<td></td>
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<tr>
<td>LA04/2016/2276/F</td>
<td>Leap Property Investments Ltd</td>
<td>Lands at 137 Albertbridge Road Belfast BT5 4LY</td>
<td>Proposed conversion and change of use from vacant bookmakers / licensed public house (sui generis) premises to ground floor hot food bar (sui generis) and first/second floor apartments (4 units) including alterations and minor extension.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>34/36 Alfred Street Belfast BT2 8EP</td>
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<tr>
<td>LA04/2016/2314/F</td>
<td>Straidorn Properties</td>
<td>83-91 Adelaide Street Belfast BT2 8FE</td>
<td>Erection of five storey courtyard infill office extension also elevation alterations to existing building. (amended plan)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>47-49 Mallusk Road Mallusk Glengormley BT36 4PJ</td>
<td></td>
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<tr>
<td>LA04/2016/2345/LBC</td>
<td>Ms P Morgan</td>
<td>Crumlin Road Gaol 53-55 Crumlin Road Belfast BT14 6ST</td>
<td>Proposed new toilets to be provided within the existing processing building</td>
<td>Consent Granted</td>
</tr>
<tr>
<td></td>
<td>Room 1-18 Clarence Court 10-18 Adelaide Street Belfast BT2 8GB</td>
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<tr>
<td>LA04/2016/2347/F</td>
<td>Mr &amp; Mrs Boyle</td>
<td>8 Derryvolgie Avenue Belfast</td>
<td>Single storey rear extension, front and rear roof lights</td>
<td>Permission Granted</td>
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<tr>
<td></td>
<td>Avenue Belfast</td>
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<tr>
<td>LA04/2016/2348/DCA</td>
<td>Mr &amp; Mrs Boyle</td>
<td>8 Derryvolgie Avenue Belfast</td>
<td>Demolition work associated with single storey rear extension and new front and rear roof lights</td>
<td>Consent Granted</td>
</tr>
<tr>
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<td>Avenue Belfast</td>
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<tr>
<td>LA04/2016/2373/F</td>
<td>Mr S Close</td>
<td>404-412 Shankill Road Belfast BT13 3AE</td>
<td>Detached single storey work shop (Retrospective)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td></td>
<td>404-412 Shankill Road Belfast BT13 3AE</td>
<td></td>
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<tr>
<td>LA04/2016/2378/DCA</td>
<td>Staidom Properties 47-49 Mallusk Road Glemgormley BT36 4PJ</td>
<td>83-91 Adelaide Street Belfast BT2 8FE</td>
<td>Ground floor - Wall to be removed within archway. 2No. existing window openings to be converted to doorways on each floor.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/2386/F</td>
<td>Mr &amp; Mrs Philpott 388 Ormeau Road Belfast BT7 3HX</td>
<td>To the rear of 388 Ormeau Road Belfast BT7 3HX</td>
<td>First floor extension above dance studio to create apartment with external staircase.</td>
<td>Permission Refused</td>
</tr>
<tr>
<td>LA04/2016/2388/F</td>
<td>Fine Foods Ltd 253 Lisburn Road belfast BT9 7EN</td>
<td>253-255 Lisburn Road Belfast BT9 7EN</td>
<td>Alterations to roof to form second storey extension &amp; elevation changes.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2397/F</td>
<td>M Donnelly 3 Rosapenna Drive Belfast BT14 6GT</td>
<td>Unit 3 Cascade House 229 Lisburn Road Belfast BT9 7EN</td>
<td>Change of use to restaurant (with ancillary takeaway facility) and associated extraction flue</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2406/F</td>
<td>Sister C O‘Leary Good Shepherd Convent 25 Rossmore Drive Belfast BT7 3LA</td>
<td>25 Rossmore Drive Belfast BT7 3LA</td>
<td>Part demolition and repair of boundary wall</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2436/F</td>
<td>Kevin O’Kane Apt 19. Forest House 72 Beech Heights Wellington Square Belfast BT7 3LQ</td>
<td>Apt 19 Forest House 72 Beech Heights Wellington Square Belfast BT7 3LQ</td>
<td>Installation of new window to existing living room</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2475/F</td>
<td>David McLaughlin 59 Amcomri Street Belfast BT12 7ND</td>
<td>59 Amcomri Street Belfast BT12 7ND</td>
<td>First floor rear extension (Amended description)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2519/F</td>
<td>James Barr 5 Grove Tree South Belfast</td>
<td>5 Grove Tree South Belfast</td>
<td>Single storey rear extension for shower room</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2016/2535/F</td>
<td>Mr + Mrs K Lagan 8 Broomhill Park Belfast</td>
<td>8 Broomhill Park Stranmillis Belfast BT9</td>
<td>Demolition of outhouse to rear and replacement single storey extension, conversion of existing garage to the kitchen and internal alterations.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2537/F</td>
<td>P &amp; J Butler 65 Ardenlee Avenue Ballynafoy Belfast BT6 0AB</td>
<td>65 Ardenlee Avenue Ballynafoy Belfast BT6 0AB</td>
<td>Roof space conversion, 2 storey rear extension, single storey side extension and demolition of garage and associated works.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2550/F</td>
<td>Robert Bleakney Architects Ltd 76 Main Street Moira BT67 0LQ</td>
<td>11 Knockbreda Park Belfast BT6 0HB</td>
<td>Construction of a rear extension to create a larger kitchen/dining room.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2556/F</td>
<td>Jacqueline Martin 86 Osborne Park Belfast BT9 6JQ</td>
<td>86 Osborne Park Belfast BT9 6JQ</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2559/O</td>
<td>David McGowan ESE Electrical Services Unit 22e Crawfordsburn Road Industrial Estate Newtownards BT23 4EA</td>
<td>Site adjacent to No2 Knocknagoney Avenue Knocknagoney Belfast BT4 2PZ</td>
<td>Erection of 2 storey 3 bedroom dwelling.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2016/2561/F</td>
<td>Belfast City Council, Property And Projects Depart First Floor Adelaide Exchange 24-26 Adelaide Street Belfast BT2 8GD</td>
<td>Brook Activity Centre 25 Summerhill Road Belfast BT17 0RL</td>
<td>Redevelopment of Brook Activity Centre to include demolition of existing activity centre and the erection of new multi-purpose leisure facility building (including 25m 4-lane swimming pool, 5-court sports hall, 60-station fitness suite, 10 team changing rooms and ancillary suites/rooms), with access via Summerhill Road. External facilities to include 1 No. GAA pitch (with 2No. football pitches across its width), 3 No. covered five a side pitches, 3 No. uncovered football pitches, hurling wall, playground, retention of existing football pitch, parking area and creation of &quot;trim trail&quot; along reconfigured river path (Additional Information)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2570/DCA</td>
<td>Mr Tristan Haldane 61 Balmoral Avenue Belfast BT9</td>
<td>61 Balmoral Avenue Belfast BT9</td>
<td>Enlargement of 3 external openings to rear and side elevations.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/2578/F</td>
<td>Mr &amp; Mrs Hampton 21 Holland Park Belfast BT5 6HB</td>
<td>21 Holland Park Belfast BT5 6HB</td>
<td>Single storey rear extension with raised decking</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2604/F</td>
<td>Sinead O’Neill 65 Glen Road Belfast BT11 8BD</td>
<td>65 Glen Road Belfast BT11 8BD</td>
<td>Proposed single and two storey extension to side of dwelling. (amended)</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2016/2608/F</td>
<td>Barry McMullen 47 Queensbury Park Belfast BT6 0HN</td>
<td>47 Queensbury Park Belfast BT6 0HN</td>
<td>Proposed two storey extensions to rear and side of dwelling.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2016/2613/LBC</td>
<td>Church Of St John The Evangelist 141 Malone Road Belfast BT9 6SX</td>
<td>141 Malone Road Belfast BT9 6SX</td>
<td>Refurbish hall including roof repairs replace rainwater goods. Repair/replace fascias and soffits. Replace windows and doors. Internal alterations.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/2624/F</td>
<td>Joe Patton 22 Kilcoole Park Belfast BT14</td>
<td>22 Kilcoole Park Belfast BT14 8LB</td>
<td>New patio to rear of dwelling including new walls, fencing, paving and steps. (Retrospective)</td>
<td>Permission Refused</td>
</tr>
<tr>
<td>LA04/2016/2666/DCA</td>
<td>David Crowe - Davcrow Ltd Dax House 18-22 Howard Street Belfast BT1 6PA</td>
<td>Howard Buildings 24-40 Howard Street Belfast BT1 6PA</td>
<td>Removal of several internal walls, old boiler and internal oil tank. Elevation changes. (The associated planning application will be for a &quot;Change of Use of Howard Buildings from offices and Dry Cleaners unit in to a Hotel. There will also be an extension at Third Floor level. The hotel will accommodate 81 bedrooms plus a ground floor café&quot;).</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2016/2693/F</td>
<td>Davcrow Ltd David Crowe Dax House 18-22 Howard Street Belfast BT1 6PA</td>
<td>24-40 Howard Street Belfast BT1 6PA</td>
<td>Change of use of Howard Buildings from offices and dry cleaners unit into a hotel (81 bedrooms) and ground floor cafe. Single storey ground floor and third floor extension. Elevation changes.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0014/F</td>
<td>Pearse and Catherine Collins Upton Park Belfast BT10 0LZ</td>
<td>25 Upton Park Belfast BT10 0LZ</td>
<td>Single storey rear extension with elevation changes and extended patio (Amended).</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0017/F</td>
<td>Windsor Baptist Church 140 Malone Avenue Belfast BT9 6ET</td>
<td>Rear of 18 Windsor Avenue Belfast BT9</td>
<td>Erection of new wall to elevation of building following demolition of part of rear return</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0018/DCA</td>
<td>Windsor Baptist Church 140 Malone Avenue Belfast BT9 6ET</td>
<td>Rear of 18 Windsor Avenue</td>
<td>Demolition of rear section of vacant building at 18 Windsor Avenue and reinstatement of new wall to remaining building</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0021/F</td>
<td>Mr F Brice 45 Kilhorne Gardens Belfast BT5 6NT</td>
<td>45 Kilhorne Gardens Belfast BT5 6NT</td>
<td>Single storey extension to rear, new storey over existing single storey return, erection of window on ground floor.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0026/F</td>
<td>Tony Canavan 7 Penge Gardens Belfast BT9 5GA</td>
<td>7 Penge Gardens Belfast BT9 5GA</td>
<td>2 storey rear extension, to include rear terrace</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0049/F</td>
<td>G McGearty 138 Hightown Road Newtownabbey BT36 7AU</td>
<td>112 Velsheda Park Belfast BT14 7LW</td>
<td>Two storey dwelling attached to the side of no.112 Velsheda Park including a new driveway</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0052/F</td>
<td>Mr L. Bhoopathi 58 Damascus Street Belfast BT7 1QR</td>
<td>58 Damascus Street Belfast BT7 1QR.</td>
<td>2 Storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0055/F</td>
<td>John and Claire Holmes 31 Glandore Avenue Belfast BT15 3FD</td>
<td>31 Glandore Avenue Belfast BT15 3FD</td>
<td>Single storey side and rear extension and erection of side window</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0067/F</td>
<td>Holy Child Primary School 5 South Green Belfast BT11 8JF</td>
<td>Holy Child Primary School 5 South Green Belfast BT11 8JF</td>
<td>Erection of pedestrian gate</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0094/F</td>
<td>Mr John McCloskey 19 Hampton Drive Belfast BT7 3DE</td>
<td>39 Willesden Park Stranmillis Belfast BT9 5GX.</td>
<td>2 Storey side and rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0099/F</td>
<td>Mr Stephen Rogers 29 Greenmount Road Six Mile Cross Beragh BT79 0QU</td>
<td>114 &amp; 116 Serpentine Road Newtownabbey BT36 7JG</td>
<td>Single storey extension to 2 No. dwellings</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0108/A</td>
<td>Titanic quarter Ltd  Titanic House 6 Queens Road Belfast BT3 9DT</td>
<td>The Arc Abercorn Basin Titanic Quarter Queens Road Belfast.</td>
<td>2No. directional totem signs</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0113/F</td>
<td>Mr &amp; Mrs A Reid  49 Cabin Hill Park Belfast BT5 7AN</td>
<td>49 Cabin Hill Park Ballycloghan Belfast BT5 7AN</td>
<td>Two storey side and rear extension and single storey rear extension + new rear patio area</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0114/F</td>
<td>Pamela Armstrong  6 Fitzwilliam Avenue Belfast BT7 2HJ</td>
<td>6 Fitzwilliam Avenue Belfast BT7 2HJ</td>
<td>Single storey side and rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0159/F</td>
<td>Jack and Sinead Sherry  19 Hillside Drive Belfast BT9 5EJ</td>
<td>19 Hillside Drive Belfast BT9 5EJ</td>
<td>2 storey side extension and elevation changes</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0161/F</td>
<td>Mrs Kyle Robinson  4 Kenbaan Court Belfast BT5 4TG</td>
<td>4 Kenbaan Court Belfast BT5 4TG</td>
<td>Attic conversion with rear dormer</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0169/F</td>
<td>Margaret McMullan  51 Riverdale Gardens Belfast BT11 9DG</td>
<td>51 Riverdale Gardens Belfast BT11 9DG</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0170/F</td>
<td>Geoff Bennett  55 College Park Avenue Malone Lower Belfast BT7 1LR</td>
<td>55 College Park Avenue Malone Lower Belfast BT7 1LR</td>
<td>Replacement two storey rear extension and single storey side extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0220/F</td>
<td>Michelle McDermot  6 Catherine Street Belfast BT2 8LX</td>
<td>6 Catherine Street Belfast BT2 8LX</td>
<td>Provision of an independent wheelchair user double bedroom and shower room to the rear of the property</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0227/A</td>
<td>USA Car Wash 176-184 Woodstock Road Belfast BT6 8AD</td>
<td>176-184 Woodstock Road Belfast BT6 8AD</td>
<td>Advertising signage on existing boundary fencing, pole sign, free standing bollard sign an advertising signage within site (affixed to existing building)</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0231/F</td>
<td>Lidl Northern Ireland GmbH Dundrod Road Nutts Corner Crumlin BT29 4SR</td>
<td>Units 2 3 and 4 Connswater Retail Park Belfast</td>
<td>Variation of condition 2 (gross floorspace restriction) and condition 3 (net retail floorspace restriction) of planning permission LA04/2015/0160/F (variation of condition to permit sales of convenience goods and all types of comparison goods) to remove reference to approved floor plan to allow for reconfiguration of the ground floor layout and an increase to the overall gross floorspace</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0256/F</td>
<td>Mr Ian Martin 58 Palmerston Road Belfast BT4 1QB</td>
<td>58 Palmerston Road Belfast BT4 1QB.</td>
<td>Single storey rear extension.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0258/F</td>
<td>Mr and Mrs Nickel 41 Church Road Belfast BT8 7AL</td>
<td>41 Church Road Belfast BT8 7AL</td>
<td>Two storey extension to side and rear of dwelling and single storey extension to rear.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0259/A</td>
<td>ASDA ASDA ASDA House South Bank Great Wilson Street Leeds LS11 5AD</td>
<td>ASDA Westwood 1 Westwood Centre Kennedy Way Belfast BT11 9BQ.</td>
<td>Internally illuminated sky sign, retail totem re-clad, new taller replacement totem internally illuminated, twin post welcome signs, wall mounted welcome sign, post mounted marketing signs.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0266/F</td>
<td>Mr &amp; Mrs McCartney 98 Belmont Church Road Belfast BT4 2DA</td>
<td>98 Belmont Church Road Belfast</td>
<td>Retention of boundary fence, including gate &amp; pillars, BBQ hut and associated landscaping (Retrospective).</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2017/0270/F</td>
<td>Patrick Kerr 16 Rosetta Park Belfast</td>
<td>3 Hillside Drive Belfast BT9 5EJ</td>
<td>Two storey side extension</td>
<td>Permission</td>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0275/F</td>
<td>Mr and Mrs J French 614 Upper Newtownards Belfast BT4 3HG</td>
<td>614 Upper Newtownards Road Belfast BT4 3HG</td>
<td>Proposed single storey open porch to side of dwelling and alterations to existing kitchen, utility, boiler room and WC to form single kitchen area.</td>
<td>Permission</td>
</tr>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0280/F</td>
<td>Peter Rice 16 Harberton Drive Malone Upper Belfast BT9 6PF</td>
<td>16 Harberton Drive Malone Upper Belfast BT9 6PF</td>
<td>2 storey rear extension.</td>
<td>Permission</td>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0281/DCA</td>
<td>Peter Rice 16 Harberton Drive Malone Upper Belfast BT9 6PF</td>
<td>16 Harberton Drive Malone Upper Belfast BT9 6PF</td>
<td>Demolition of side conservatory and single storey lean to.</td>
<td>Consent</td>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0284/F</td>
<td>Vivien Black 109 Wandsworth Road Belfast BT4 3LU</td>
<td>109 Wandsworth Road Belfast</td>
<td>2 storey side extension and elevation changes</td>
<td>Permission</td>
</tr>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0287/F</td>
<td>Paul Scullion Balmoral Golf Club 518 Lisburn Road Belfast BT9 6GX</td>
<td>Balmoral Golf Club 518 Lisburn Road BT9 6GX</td>
<td>Ball-stop perimeter fence</td>
<td>Permission</td>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0293/RM</td>
<td>Fegan 162a Upper Springfield Road Belfast BT17 0LZ</td>
<td>Lands between 164 and 166 Upper Springfield Road Belfast</td>
<td>Proposed 2 no infill dwellings</td>
<td>Permission</td>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0295/A</td>
<td>Killutagh Estate Limited c/o Colliers Internayional 25 Talbot Street Belfast BT1 2LD</td>
<td>Boucher Centre nos 55 -93 Boucher Road Belfast</td>
<td>2 no internally illuminated totem signs and 1 no directional sign</td>
<td>Consent</td>
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<td>Granted</td>
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<tr>
<td>LA04/2017/0319/F</td>
<td>Roisin Smith 2 Monagh Road Belfast BT11 8EF</td>
<td>2 Monagh Road Belfast BT11 8EF</td>
<td>Single storey rear and side extension</td>
<td>Permission</td>
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<td>Granted</td>
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<tr>
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<tr>
<td>LA04/2017/0322/F</td>
<td>Frances Privilege 14 Slievetoye Park Belfast BT14 8JL</td>
<td>14 Slievetoye Park Belfast BT14 8JL</td>
<td>Single storey side and rear extension with raised decking/patio area</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0332/F</td>
<td>Miss Danielle Geraghty 18 Somerdale Park Belfast BT14 7HD</td>
<td>18 Somerdale Park Belfast BT14 7HD</td>
<td>Single storey side and rear extension with patio area. Elevation changes.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0333/LDP</td>
<td>Niall &amp; Lesley Haslett 2 Sharman Park Malone Lower Belfast BT9 5HJ</td>
<td>2 Sharman Park Malone Lower Belfast BT9 5HJ</td>
<td>Conversion of garage to bedroom with elevation changes</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0339/F</td>
<td>Mrs B Faloon 11 Greenane Crescent Belfast BT10 0NY</td>
<td>11 Greenane Crescent Belfast BT10 0NY</td>
<td>Single storey side extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0343/F</td>
<td>James McCool 118 Lagmore Glen Dunmurry BT17 0BW</td>
<td>118 Lagmore Glen Dunmurry BT17 0WB</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0354/F</td>
<td>David and Rachael Moreland 3 Vauxhall Park Belfast BT9 5GZ</td>
<td>3 Vauxhall Park Belfast BT9 5GZ</td>
<td>Two storey extension to side and rear of dwelling with roof space conversion and widening of front gates</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0362/F</td>
<td>Rev Eaves 87-89 Victoria Street Belfast BT1 4PB</td>
<td>368 Upper Newtownards Road Belfast BT4 3EX</td>
<td>Change of use from retail to hot food bar with elevation alterations and rear extraction flue</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0368/LBC</td>
<td>The Select Vestry St Stephens Parish Church Millfield Belfast BT1 1JS</td>
<td>St Stephens Parish Church Millfield Belfast BT1 1JS</td>
<td>Demolition of existing listed church hall building to rear of main church.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0369/A</td>
<td>JCDecaux 15 Kilwee Business Park Belfast BT17 0HD</td>
<td>At junction of Donegall Road and Monarch Street Belfast</td>
<td>Application for 1 No. 48 Sheet Advertising Panel</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0398/A</td>
<td>Baker and McKenzie 7 Donegall Square West Belfast BT1 6JH</td>
<td>7 Clarendon Road Belfast BT1 3BG</td>
<td>Illuminated Fascia Sign</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0412/F</td>
<td>Mr N Patterson 34 Clonallon Park Belfast BT4 2BZ</td>
<td>34 Clonallon Park Belfast BT4 2BZ</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0417/CONTPO</td>
<td>McAdam Design 1c Montgomery House Castlereagh Business Park 478 Castlereagh Road Belfast BT5 6BQ</td>
<td>Upper Newtownards Road Knock Road Area Belfast</td>
<td>NI water sewage upgrade works to trees in the upper Newtownards/Knock Road area Belfast</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0425/A</td>
<td>Malone and Smyth Ltd Teemore Enterprise Centre Derrylin BT92 9BL</td>
<td>Unit 12 Ormeau Bakery Ormeau Road Belfast</td>
<td>Shop sign and 2no projecting signs</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0432/NMC</td>
<td>Clanmill Developments Ltd Northern Whig House 3 Waring Street Belfast BT1 2DX</td>
<td>Lands immediately west of 9 Glenbryn Park and immediately east of 57 Glenbryn Park Belfast BT14 7JG</td>
<td>Non material change to planning application LA04/2015/1371/F</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0437/F</td>
<td>Stevie and Mairead Connelly 84 Mount Eagles Square Belfast BT17 0GZ</td>
<td>84 Mount Eagles Square Belfast BT17 0GZ.</td>
<td>Proposed roofspace conversion creating dormer to rear of property.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0439/F</td>
<td>Ms Gillan Hamill 68 Kingsdale Park Gilnahirk Belfast BT5 7BZ</td>
<td>68 Kingsdale Park Belfast BT5 7BZ.</td>
<td>Single storey rear extension.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
<td>Decision</td>
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<tr>
<td>LA04/2017/0440/F</td>
<td>Neil and Orlagh McCullough 34 Credenhill Park Dunmurry Belfast BT17 0ES</td>
<td>34 Credenhill Park Dunmurry BT17 0ES</td>
<td>2 storey extension to side of existing dwelling</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0441/F</td>
<td>B Walker 12 Oakwood Park Belfast BT9 6SE</td>
<td>12 Oakwood Park Belfast BT9 6SE</td>
<td>Conversion of attached garage to living accommodation including changes to the front elevation.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0458/F</td>
<td>Mr J Delaney 3 Woodlands Holywood BT180PE</td>
<td>33 Ardmore Avenue Belfast BT10 0JP</td>
<td>Single storey rear and first floor extension and alterations to front elevation to create two storey dwelling. Raised patio to rear.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0462/F</td>
<td>Mr P Rice 5 Upper Castle Park Belfast BT15 5FG</td>
<td>5 Upper Castle Park Belfast BT15 5FG.</td>
<td>Single storey extension to the rear of dwelling.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0463/F</td>
<td>Mr and Mrs J Campbell 15 Cormorant Park Belfast BT5 7NB</td>
<td>15 Cormorant Park Belfast BT5 7NB.</td>
<td>Proposed conversion of existing garage to a living room and utility.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0478/F</td>
<td>Fold Housing Association 3 Redburn Square Holywood BT18 9HZ</td>
<td>Lands at Brookmount Street Belfast BT13 3AP (directly to the east of 4-24 Battenberg Street Belfast)</td>
<td>Amendment to planning approval LA04/2016/0374/F to include variation of conditions 2, 3, 4 and 5 so approval relates to amended PSD drawing</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0480/F</td>
<td>Gerry Mc Kearney 6 Riverdale Park East Belfast BT11 9DA</td>
<td>6 Riverdale Park East Belfast BT11 9DA</td>
<td>Single storey extension to rear of property, removing roof of existing extension and replacing with new flat roof incorporating a raised roof light</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0485/F</td>
<td>Encon Insulation Ltd Brunswick House 1 Deighton Close Wetherby LS22 7GZ</td>
<td>Units 1 &amp;2 Pinebank Channel Commercial Park Queens Road Belfast BT3 9DT.</td>
<td>Addition of 3 no. windows at ground floor level.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2017/0486/DCA</td>
<td>Mr and Mrs K Lagan 8 Broomhill Park Belfast BT9</td>
<td>8 Broomhill Park Belfast BT9</td>
<td>Demolition of small outhouse to rear. Demolition and replacement of existing conservatory</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0496/F</td>
<td>MRA Partnership 10 Holland Gardens Belfast BT5 6EG</td>
<td>52 Sandown Road Belfast BT5 6GY</td>
<td>Change of use of ground floor from retail (Use class A1) to office (Use class B1(a))</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0498/DCA</td>
<td>Jacqueline Martin 86 Osborne Park Belfast BT9 6JQ</td>
<td>86 Osborne Park Belfast BT9 6JQ</td>
<td>Demolition of parts of rear walls and internal reconfiguration.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0500/A</td>
<td>Novo Cafe Ltd Cafe Le Petit 274-276 Ormeau Road Belfast BT7 2GB.</td>
<td>Café Le Petit 274-276 Ormeau Road Belfast BT7 2GB.</td>
<td>Wall mounted shop signs.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0515/F</td>
<td>Ms Sarah Swain WSCHA Usel Building 182-188 Cambrai Street Belfast BT13 3JH</td>
<td>91-93 Woodvale Road Belfast BT13 3BP</td>
<td>Change of use from offices to dwellings with the inclusion of a new entrance door to No. 91</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0524/F</td>
<td>Clanmil Developments Ltd Northern Whig House 3 Waring Street Belfast BT1 2DX</td>
<td>Block A Annadale Embankment Bounded by Annadale Crescent &amp; Annadale Drive Belfast</td>
<td>Erection of bin store</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0528/F</td>
<td>Michael Karen 423 Lisburn Road Belfast BT9 7EW</td>
<td>423 Lisburn Road Belfast BT9 7EW</td>
<td>External seating area</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0529/F</td>
<td>Brannigan Brothers Ltd Mr Paul Brannigan Moyglare Hall Maynooth</td>
<td>60 Rugby Avenue Belfast BT7 1RG</td>
<td>Change of use from dwelling to 3 apartments including the erection of a two and a half storey return</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2017/0531/F</td>
<td>Joseph O’Connor  28 Wolfhill Avenue South Belfast BT14 8NT</td>
<td>28 Wolfhill Avenue South Belfast BT14 8NT</td>
<td>2 Storey side extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0532/F</td>
<td>Aron Gordon  13 Clare Gardens Belfast BT14 8LX</td>
<td>13 Clare Gardens Belfast BT14 8LX</td>
<td>Single storey rear extension with elevation changes</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0539/F</td>
<td>Mr C McKee  26 Castle Drive Belfast BT15 4GB</td>
<td>26 Castle Drive Belfast BT15 4GB</td>
<td>Proposed 2 storey extension to side of rear of dwelling and single storey extension to rear.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0545/F</td>
<td>Mr and Mrs Shackley  53 Strathmore Park North Belfast BT15 5HQ</td>
<td>53 Strathmore Park North Belfast BT15 5HQ</td>
<td>Single storey rear extension.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0549/F</td>
<td>Translink  3 Milewater Road Belfast BT3 9BG</td>
<td>Short Strand Depot Mount Pottinger Road Belfast BT5 4BH</td>
<td>Replacement of a portacabin unit</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0554/F</td>
<td>Mr and Mrs David Mawhinney  69 Rosepark Dundonald Belfast BT5 7RH</td>
<td>no 69 Rosepark Dundonald Belfast BT5 7RH</td>
<td>Single storey side extension to dwelling, to provide extended bathroom/bedroom</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0572/RM</td>
<td>Michael Martin  Rockvale Farm 20 Upper Braniel Road Belfast BT5 7TS</td>
<td>Lands adjoining and North of 20 Upper Braniel Road Belfast</td>
<td>Farm dwelling and garage</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0574/DC</td>
<td>Titanic Foundation  Titanic House 6 Queens Road Belfast BT3 9DT</td>
<td>Victoria Wharf Titanic Quarter Queens Road Queens Island Belfast BT3 9DT</td>
<td>Discharge of condition 6 of LA04/2016/2430/F</td>
<td>Approval</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2017/0578/F</td>
<td>Moosa and Diana Patel 55 Woodland Grange Belfast BT11 9QT</td>
<td>55 Woodland Grange Belfast BT11 9QT</td>
<td>Proposed attic conversion facilitating bedroom and ensuite space. Existing ridge line to be raised</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0583/F</td>
<td>Joe Ward 180 Stranmillis Road Belfast BT9 5DT</td>
<td>180 Stranmillis Road Belfast BT9 5DT</td>
<td>Alterations and extensions to include new first floor level, front and rear ground floor extensions and all associated site works</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0591/A</td>
<td>USA Car Wash 118 Coast Road Lame BT40 2LF</td>
<td>77 Ladas Drive Belfast BT6 9FR</td>
<td>1no sign on existing building, signage on existing forecourt canopy, signage on existing forecourt pole</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0592/F</td>
<td>Seamus Kennedy 24b Upper Malone Road Belfast BT9 5NA</td>
<td>24a Upper Malone Road Belfast BT9 5NA</td>
<td>Removal of existing garage, two storey rear extension and roof conversion, new front dormer, alterations to vehicular entrance and construction of new garden shed.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0594/F</td>
<td>Margaret Ryan 46 Hillhead Avenue Belfast BT11 9GD</td>
<td>46 Hillhead Avenue Belfast BT11 9GD</td>
<td>Proposed single storey extension to rear of dwelling</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0597/LBC</td>
<td>Elizabeth Bonhomme 3rd Floor 21 Clarendon Road Belfast BT1 3BG</td>
<td>10 Upper Crescent Belfast BT7 1NT</td>
<td>Change of use from office to residential. Internal demolition works and alterations.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0600/NMC</td>
<td>c/o Willie Jack/Director Commerical Court Inns Ltd 7-13 Commerical Court Belfast BT1 2NB</td>
<td>25-33 Hill Street Belfast Co. Antrim BT1 2NB.</td>
<td>Non material change to planning application LA04/2016/1406/F</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>LA04/2017/0617/F</td>
<td>Mr and Mrs J Bradley 51 Knockvale Park Belfast BT5 6HJ</td>
<td>51 Knockvale Park Belfast BT5 6HJ</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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</tr>
<tr>
<td>LA04/2017/0624/F</td>
<td>Elizabeth Bonhomme</td>
<td>10 Upper Crescent Belfast BT7 1NT.</td>
<td>Change of use of second and third floors from office to residential with associated internal and external alterations</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0632/F</td>
<td>Ravi Ningegowda</td>
<td>19 Katrine Park Belfast BT10 0HT</td>
<td>Single storey side and rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0633/F</td>
<td>Mitchel and Teresa Campton</td>
<td>110 Knockbreda Park Belfast BT6 0HG</td>
<td>Single storey side and rear extension</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0634/A</td>
<td>Exterion Media</td>
<td>18 Clifton Street Belfast BT13 1AA</td>
<td>LED Advertising Screen</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>LA04/2017/0643/LDP</td>
<td>James Kearns</td>
<td>19 Knockbracken Park Belfast BT6 0HL</td>
<td>Flat roof to be removed from existing rear single storey kitchen. New Cavity wall to be constructed in line with existing rear wall of single storey kitchen extension and returning to connect to the rear all of the 2 storey property. New mono pitch (lean to) roof constructed over existing and new extension to create single kitchen/living/dining space. New drainage points to be connected into existing combined sewer within the curtilage of the property.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0644/DC</td>
<td>Alfred Street Properties</td>
<td>Units 910 and 13 Connswater Retail Park Belfast BT5 5LT</td>
<td>Discharge of condition 5 planning application LA04/2016/2621/F.</td>
<td>Approval</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0656/F</td>
<td>Norma Byers &amp; Neill McKelvie</td>
<td>29 Manna Grove Ballyrushboy Belfast BT5 6AJ</td>
<td>Proposed single storey rear extension to form living/kitchen area.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0670/DC</td>
<td>Cultra Development Ltd</td>
<td>32 Cultra Avenue Hollywood BT18 QA2</td>
<td>Discharge of Condition 12 linked to LA04/2015/0707/F.</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2017/0673/A</td>
<td>Clear Channel N.I. Ltd</td>
<td>Channel Commerical Park Queens Road Belfast BT3 9DT</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six sheet digital display screen.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0675/F</td>
<td>Richland (Kensington) Limited</td>
<td>65-69 Dublin Road Belfast</td>
<td>Installation of awning to front of café.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0676/DC</td>
<td>Edmund Rice Schools Trust NI Ltd</td>
<td>St John Paul II Primary School Whiterock Road Belfast BT12 7FW</td>
<td>Discharge of conditions 5-7 planning application Z/2014/1539/F</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2017/0677/NMC</td>
<td>Sota Developments</td>
<td>194 Stranmillis Road Belfast BT9 5DT</td>
<td>lowering previously approved window sill heights to the first floor bedrooms (with dormer roof over) to the rear elevation of both houses.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0680/A</td>
<td>Clear Channel N I Ltd</td>
<td>Lisburn Road near corner Windsor Avenue.</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six sheet digital display screen.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0686/DC</td>
<td>Charles Hurst Ltd</td>
<td>58 Boucher Road Belfast</td>
<td>Discharge of conditions 2, 5 and 10 of application LA04/2015/0935/f</td>
<td>Approval</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2017/0687/F</td>
<td>The RSPB Michelle Hill&lt;br&gt;RSPB_NIHQ-Belvoir Park Forest Belvoir Drive Belfast BT8 7QT</td>
<td>RSPB Belfast WOW Visitors Centre RSPB Belfast Harbour Reserve Airport Road West Belfast BT3 9ED</td>
<td>Retention of Sand Martin bank.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0693/A</td>
<td>Clear Channel N I Ltd Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Malone Road Outside David Kerr Buildings Queens University Belfast BT9 5BA</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six digital display screen.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0698/DC</td>
<td>Titanic Foundation</td>
<td>Victoria Wharf Titanic Quarter Queens Road Queens Island.</td>
<td>Discharge of Condition 2 of application LA04/2016/2430/f</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2017/0701/LDP</td>
<td>Cliff McLoughlin 21 Massey Court Belfast BT4 3GJ</td>
<td>21 Massey Court Belfast BT4 3GJ</td>
<td>Works entail the part conversion of an existing attached garage space of a house into a kitchen dining area, creating no additional floorspace. other operational works and change of external elevations to front and rear of the house to build up existing garage doors to become windows and doorways.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0704/F</td>
<td>PSNI Brooklyn 65 Knock Road Belfast BT5 6LE</td>
<td>Lisnasharragh PSNI 42 Montgomery Road Belfast BT6 9LD</td>
<td>Provision of a new single storey Guard House to replace existing, new access and associated site works</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0743/O</td>
<td>Caldwell Bros 13 Kensington Road Belfast BT5 6NG</td>
<td>14 Grampian Avenue Belfast BT4 3AB</td>
<td>Proposed residential development of 2No. apartments in single block</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
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<tr>
<td>LA04/2017/0750/F</td>
<td>Stephen McCosh Funeral Director 117 Shankill Road Belfast BT13 1FD</td>
<td>117 Shankill Road Belfast BT13 1FD</td>
<td>Change of use of first floor from one office to embalming room</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0754/A</td>
<td>Greg O'Donnel c/o TGI Fridays Unit R3 Victoria Square Belfast BT1 4QG</td>
<td>Unit 5 Connswater Shopping Centre Belfast</td>
<td>Shop sign, projecting sign, direction sign, totem pole sign</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0762/F</td>
<td>Mr And Mrs Michael Agnew 6 Osborne Gardens Malone Lower Belfast BT9 6LE</td>
<td>6 Osborne Gardens Malone Lower Belfast BT9 6LE</td>
<td>Proposed single storey extensions and alterations to ground floor including extension to allow for new rear entrance to dwelling</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0764/LBC</td>
<td>Mr and Mrs Michael Agnew 6 Osborne Gardens Malone lower Belfast BT9 6LE</td>
<td>6 Osborne Gardens Malone Lower Belfast BT9 6LE</td>
<td>Proposed single storey extensions and alterations to ground floor including extensions to allow for new rear entrance to dwelling</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/0781/DC</td>
<td>Creche Nursery Comnpay Ltd. 146 High Street Holywood BT18 9HS</td>
<td>5 Palmerston Road Strandtown Belfast BT4 1QA.</td>
<td>Verification report as instructed on Condition 2 of planning approval for LA04/2015/0869/F.</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2017/0805/LDP</td>
<td>Mr &amp; Mrs D Ramsey 7 Oakwood Park Belfast BT9 6SE</td>
<td>7 Oakwood Park Belfast BT9 6SE</td>
<td>Demolition of existing conservatory and construction of a single storey extension to the rear of the dwelling.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0855/NMC</td>
<td>Nevina Limited Buckingham Court 78 Buckingham Gate London SW1E6PE</td>
<td>28-30 Great Patrick Street Belfast BT1 2LT</td>
<td>Non material change to Z/2014/1657/F reducing car parking provision from 12 to 6 spaces and associated internal changes</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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</table>
| LA04/2017/0858/NMC | Ammora Limited  
Buckingham Court 78 Buckingham Gate  
London SW1E6PE | Site Bounded By Little York Street Great Georges Street And Nelson Street Belfast | Non material change to LA04/2016/1252/F | Consent Refused |
| LA04/2017/0860/F | Brendan O'Connor  
81 Dromore Road Ballynahinch BT24 8HS | 149 Donegall Avenue Belfast | 2 storey rear extension. | Permission Granted |
| LA04/2017/0870/DC | Richland (Kensington) Limited  
Robinhall House 97a Hillsborough Road Moneyreagh BT63 6AZ | 65-71 Dublin Road Belfast BT2 7HE | Discharge of condition 1 planning application La04/2016/0091/F | Approval |
| LA04/2017/0873/DC | The Richland Group  
c/o Agent | 65-71 Dublin Road Belfast BT2 7HE. | DISCHARGE OF CONDITION 10 OF Z/2013/1518/F AND CONDITION 2 OF LA04/2016/0091/F WHICH VARIES CONDITION 7 OF Z/2013/1518/F. | Approval |
| LA04/2017/0880/F | Belfast Health and Social Care Trust  
Trust Headquarters 'A' Floor  
Belfast City Hospital Belfast BT9 7AB | Belfast City Hospital 51 Lisburn Road Belfast BT9 7AB | Switchboard room single storey extension | Permission Granted |
| LA04/2017/0883/LDP | Corrie  
50 Kingsway Park  
Belfast BT5 7EX | 50 Kingsway Park Belfast BT5 7EX | Single storey rear extension with steps at rear. | Permission Granted |
| LA04/2017/0908/F | James Hay Pension trustees  
C/O Johnston Solicitors  
56 Wellington Place Belfast BT1 6GF | 50-56 Wellington Place Belfast BT1 6GF | Change of use from financial services (Class A2) to shop (Class A1) | Permission Granted |
<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Applicant Name &amp; Address</th>
<th>Location</th>
<th>Proposal</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA04/2017/0910/LDE</td>
<td>Enagh Investments Ltd  80 Maytown Road Enagh Bessbrook Newry BT357NL</td>
<td>41 Eglantine Avenue Belfast BT96EW</td>
<td>The property is sub-divided into 7 No. x 1 bed apartments and 1No. x 2 bed apartment, these have been used for residential short term letting from a period from 1st June 2009 to application date.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>LA04/2017/0993/NMC</td>
<td>Eagleglen Ltd  26-28 Queen Street Magherafelt BT45 6AB</td>
<td>Vacant site adjacent to 21 Social Public House 1 Hill Street Belfast BT1 2LA</td>
<td>Non material change to planning application Z/20141067/f</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1006/DC</td>
<td>Turley Sam McKee  Hamilton House 3 Joy Street Belfast BT2 8LE</td>
<td>Lands to the East of 14-20 Ballygomartin Park and 183-187 West Circular Road and to theSouth of 14054 Ballygomartin Road Belfast</td>
<td>Discharge of conditions 2 and 9 of Planning Application Z/2008/2057/f</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2017/1025/NMC</td>
<td>Mr and Mrs M McGuigan  23 Diamond Gardens Belfast BT10 0HD</td>
<td>23 Diamond Gardens Belfast Antrim BT10 0HD</td>
<td>Dormer window extended over existing staircase and rooflight to front of dwelling (permitted development)</td>
<td>Consent Refused</td>
</tr>
<tr>
<td>LA04/2017/1043/DC</td>
<td>Choice Housing Association Leslie Morrell House 37-41 May Street Belfast BT1 4DN</td>
<td>Lands 20m north of 18-26 Black Mountain Grove Belfast.</td>
<td>Discharge of Condition - LA04/2016/1162/F - Implementation Plan</td>
<td>Approval</td>
</tr>
<tr>
<td>LA04/2017/1241/CONTPO</td>
<td>Wirefox Design Limited  2 Downshire Road Holywood BT18 9LU</td>
<td>Trees 53 55 56 57 60 and 61 at Blandon Park Belfast</td>
<td>Reduce end weight by 2.0m</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
<td>Decision</td>
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<td>-------------------</td>
</tr>
<tr>
<td>LA04/2017/1243/CONTPO</td>
<td>Mr Arthur Clarke 80 Kings Road Belfast BT5 6JN</td>
<td>80 Kings Road Belfast BT5 6JN</td>
<td>Increase stability, reduce back from neighbouring garden.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1244/CONTPO</td>
<td>Tristan Kinner Limited 86 Cargygray Road Hillsborough BT26 6DA</td>
<td>19 Myrtlefield Park Belfast BT9</td>
<td>Reduce crown by 3m on top and the sides, crown lift over hedge.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1247/CONTPO</td>
<td>Mr Harry Reid 18 Malone Park Belfast BT9 6NH</td>
<td>18 Malone Park Belfast BT9 6NH</td>
<td>To reduce the overhang on the sycamore at the back left hand side and remove 2 to 3 dead branches on the Cypress at the back.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1249/CONTPO</td>
<td>Mr John Logan 6 Notting Hill Belfast BT9 5NS</td>
<td>6 Notting Hill Belfast BT9 5NS</td>
<td>To reduce the dead cotoneaster at the back right hand side down to approximately 8 feet leaving the honeysuckle to grow over.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1251/CONTPO</td>
<td>Mr Oliver Shanks 19 Derryvolgie Avenue Belfast BT9 6FN</td>
<td>19 Derryvolgie Avenue Belfast BT9 6FN</td>
<td>To reduce the crowns of the two cherry trees at the front by 1 to 2 metres, removing all debris.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1260/CONTPO</td>
<td>Andrew Agnew 26 Malone Park Belfast</td>
<td>26 Malone Park Belfast</td>
<td>Removal of 1 X sycamore tree</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>LA04/2017/1275/CONTPO</td>
<td>Nicholas Brennan 47A Derryvolgie Avenue Belfast BT9 6FP</td>
<td>47A Derryvolgie Avenue Belfast BT9 6FP</td>
<td>Works to trees in a Conservation Area.</td>
<td>Consent Granted</td>
</tr>
<tr>
<td>Z/2013/0095/F</td>
<td>St Mary's Parish Church Greencastle 824 Shore Road Newtownabbey BT36 7DG</td>
<td>730-760 Shore Road Belfast BT15 4HL</td>
<td>Proposed residential development at 730-760 Shore Road, Belfast for St Mary's Parish Greencastle. Development consists of 32no dwelling houses and 8no apartments.</td>
<td>Permission Granted</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
<td>Decision</td>
</tr>
<tr>
<td>------------------</td>
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</tr>
<tr>
<td>Z/2013/1399/F</td>
<td>VWP Architects</td>
<td>Lands bounded by Stockmans Crescent and Kennedy Way Belfast BT11</td>
<td>Proposed residential development comprising of 8 two storey semi detached dwellings, 1 detached dwelling and six apartments in one three storey block along with associated site works and sewer diversion</td>
<td>Permission Granted</td>
</tr>
</tbody>
</table>
### Date:
Tuesday, 20th June, 2017

### Reporting Officer:
Phil Williams, Director of Planning & Place

### Contact Officer:
Helen Richmond, ext 2263

### Purpose of Report or Summary of main Issues
The purpose of the paper is to provide an update on planning performance up to 31 May 2017.

*Please note that these figures are internally sourced and not Official Statistics from the Department for Infrastructure and may be subject to change when the Official Statistics are subsequently released.*

### Recommendation

2.1 Members are asked to note the current performance.

### Main Report

3.1 Applications
- 146 applications validated in May 2017. (197)
- 331 applications validated since 1 April, down 21% on same period last year.(417)

**Decisions**
- 160 decisions issued in May 2017.
- 96% approval rate
- 94% decisions issued under delegated authority
- 150 decisions issued in May 2016

**No of applications in system by length of time**
- 990 live apps in system at end of May 2017
- 59% of applications in system less than 6 months
- Outstanding legacy applications is 23
Performance against statutory Targets (unvalidated management information up to 2017)

- The statutory target for processing major development planning applications from the date valid to decision issued or withdrawal date is within an average of 30 weeks. In Quarter 4 (1 Jan – 30 April 2017) the average processing time to decide major applications in BCC was 29.8 weeks. This, however, includes legacy applications and those Major applications which have been delayed whilst a Section 76 agreement in put in place.

- Excluding those applications requiring a Section 76 agreement the average processing time for processing a major application between 1 January and 31 March was 22 weeks.

- The statutory target for processing local development planning applications from the date valid to decision issued or withdrawal date is an average of 15 weeks. In Quarter 4, the average processing time to decide local applications in BCC was 18.2 weeks.

- The statutory target is that 70% of all enforcement cases are progressed to target conclusion within 39 weeks of receipt of complaint. In quarter 4, 68.8% of enforcement cases were concluded within 39 weeks.

<table>
<thead>
<tr>
<th>4.0</th>
<th>Financial and Resource Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5.0</th>
<th>Equality or Good Relations implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Dear Sir/Madam

ROADS (NI) ORDER 1993
PROPOSED ABANDONMENT AT MARQUIS STREET, BELFAST

Department for Infrastructure are proposing to abandon the land as shown hatched/highlighted on the attached map.

The abandonment is necessary to facilitate re-development in the area.

Also attached is a plan, which shows the proposed layout.

Please let me have your comments on the above proposal.

If I do not receive your reply I shall assume you have no objection and will proceed accordingly.

Yours sincerely,

Andrew Dodds
Lands Section

ENC
Abandonment – Academy Street, Belfast
The Department for Infrastructure, being of the opinion that another road is available which provides alternative facilities for road traffic, proposes to make an order to abandon an area of 1036.64 square metres of road at Academy Street, Belfast, from its junction with Donegall Street to a point 7 metres south-west of its junction with Exchange Street West. The area of carriageway and footways proposed to be abandoned are delineated on a map which, together with a copy of a draft order, may be inspected free of charge during office hours within the period 17th May 2017 to 26th June 2017 at the Department’s TransportNI Eastern Division, Hydebank, 4 Hospital Road, Belfast, BT8 8JL or viewed online at www.infrastructure-ni.gov.uk/consultations
Any person may, within the period above, object to the proposal by writing to the Department at the address above or emailing lands.eastern@infrastructure-ni.gov.uk stating the grounds of the objection. Information you provide, including personal information, could be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations (EIR). For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk
2017 No.

ROADS

The Academy Street, Belfast (Abandonment) Order (Northern Ireland) 2017

Made - - - - 2017

Coming into operation - 2017

The Department for Infrastructure(a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993(b) and now vested in it(c).

The Department in accordance with Article 68(4) of that Order is of the opinion that another road is available which provides alternative facilities for road traffic.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

(Here will follow, where appropriate, recitals of the fact of any objections received or inquiry held and of the outcome thereof).

Citation and commencement

1. This Order may be cited as The Academy Street, Belfast (Abandonment) Order (Northern Ireland) 2017 and shall come into operation on 2017.

Application

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

Sealed with the Official Seal of the Department for Infrastructure on 2017

(L.S.)

A senior officer of the Department for Infrastructure

(a) 2016 c. 5 (N.I.)
(b) S.I. 1993/3160 (N.I. 15)
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
SCHEDULE

AREA OF ROAD TO BE ABANDONED

An area of 1036.64 square metres of road comprising carriageway and footways at Academy Street, Belfast extending from its junction with Donegall Street to a point 7 metres south-west of its junction with Exchange Street West, more particularly delineated and shown hatched on Map No. INI/17/239762.

A copy of the map has been deposited at the Department’s Headquarters, Room 301, Clarence Court, 10-18 Adelaide Street, Belfast; and at TransportNI Eastern Division, Hydebank, 4 Hospital Road, Belfast.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road and footway described in the Schedule.
Abandonment – Glenwood Green, Dunmurry
The Department for Infrastructure, being of the opinion that the road is not necessary for road traffic, proposes to make an order to abandon an area of 205 square metres of road at the south-west side of Glenwood Green, Dunmurry. The area of road proposed to be abandoned is delineated on a map which, together with a copy of a draft order, may be inspected free of charge during office hours within the period 17th May 2017 to 26th June 2017 at the Department's TransportNI Eastern Division, Hydebank, 4 Hospital Road, Belfast, BT8 8JL or viewed online at www.infrastructure-ni.gov.uk/consultations.
Any person may, within the period above, object to the proposal by writing to the Department at the address above or emailing lands.eastern@infrastructure-ni.gov.uk stating the grounds of the objection. Information you provide, including personal information, could be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations (EIR). For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk.
The Department for Infrastructure(a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993(b) and now vested in it(c).

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

(Here will follow, where appropriate, recitals of the fact of any written objection received or inquiry held and the outcome thereof).

Citation and commencement

1. This Order may be cited as The Glenwood Green, Dunmurry (Abandonment) Order (Northern Ireland) 2017 and shall come into operation on 2017.

Application

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

Sealed with the Official Seal of the Department for Infrastructure on 2017

(L.S.)

A senior officer of the Department for Infrastructure

(a) 2016 c. 5 (N.I.)
(b) S.I. 1993/3160 (N.I. 15)
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
SCHEDULE

An area of 205 square metres of road at the south-west side of Glenwood Green, Dunmurry, more particularly delineated and shown crossed hatched and coloured red on Map No. IN1/17/276316. A copy of the map has been deposited at the Department’s Headquarters, Room 301, Clarence Court, 10-18 Adelaide Street, Belfast and at TransportNI, Eastern Division, Hydebank, 4 Hospital Road, Belfast.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road described in the Schedule.
DEPARTMENT FOR INFRASTRUCTURE

Map No. IN1/17/276316 referred to in "The Glenwood Green, Dunmurry (Abandonment) Order (Northern Ireland) 2017" made by the Department on 2017 and coming into operation on 2017.

©Based upon the Ordnance Survey map with the Permission of the Director and the Chief Executive.

Crown Copyright

SCALE 1:1250

Page 78
The Hannahstown Hill, Belfast (Abandonment) Order (Northern Ireland) 2017

Made - - - - 1st June 2017
Coming into operation - 5th July 2017

The Department for Infrastructure (a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993 (b) and now vested in it (c).

The Department in accordance with Article 68(4) of that Order proposes on the completion of works providing alternative facilities for road traffic to abandon the area of road described in the Schedule.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

Two objections have been received and subsequently withdrawn.

Citation and commencement

1. This Order may be cited as The Hannahstown Hill, Belfast (Abandonment) Order (Northern Ireland) 2017 and shall come into operation on 5th July 2017.

Application

2. The Department shall carry out such works as it considers necessary for the provision of alternative facilities for road traffic and on completion of the works the area of road described in the Schedule shall be abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

(a) 2016 c. 5 (N.I.)
(b) S.I. 1993/3160 (N.I. 15)
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
Revocation

4. The Hannahstown Hill, Belfast (Stopping-Up) Order (Northern Ireland) 1995(a) is revoked.

Sealed with the Official Seal of the Department for Infrastructure on 1st June 2017

(L.S.)

G F McKenna
A senior officer of the Department for Infrastructure

SCHEDULE

AREA OF ROAD TO BE ABANDONED

An area of 617.6 square metres of superseded road at Hannahstown Hill, Belfast, extending in a
north-westerly direction from its junction with Glen Road, more particularly delineated and shown
hatched on Map No. IN1/16/528342.

A copy of the map has been deposited at the Department’s Headquarters, Room 301 Clarence
Court, 10-18 Adelaide Street, Belfast; and at DFI Roads, Eastern Division, Hydebank, 4 Hospital
Road, Belfast.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road described in the Schedule.

(a) S.R. 1995 No. 353
Crown Copyright

and the Chief Executive.

Based upon the Ordnance Survey map with the permission of the Director.

2017 and coming into operation on 29th July 2017.

(Revised) Order (Northern Ireland) 2017

Map No. IN/16/52842 referred to in “The Hammashown Hill, Belfast

DEPARTMENT FOR INFRASTRUCTURE

New footway

Area to be abandoned

New footpath

Area to be abandoned

Extension to footway

Proposed new footpath

Area to be abandoned

ABANDONMENT OF LAND AT

Hammashown Hill

OLD LINE LISBURN

GLEN ROAD

SUFFOLK ROAD

1/1250

146/077/NW1.2.3.4.

Page 8
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ABANDONMENT – THE MANOR, BLACKS ROAD, BELFAST
The Department for Infrastructure, being of the opinion that the road is not necessary for road traffic, proposes to make an Order to abandon 55.878 square metres of road (part of the carriageway and footway of a former roundabout) at The Manor, Black's Road, Belfast.

The area of road proposed to be abandoned is delineated on a map which, together with a copy of a draft order, may be inspected free of charge during office hours within the period 26/04/2017 to 01/06/2017 at the Department's Headquarters, Room 301, Clarence Court, 10-18 Adelaide Street, Belfast and at TransportNI Eastern Division, Hydebank, 4 Hospital Road, Belfast, BT8 8JL or viewed online at www.infrastructure-ni.gov.uk/consultations

Any person may, within the period above, object to the proposal by writing to the Department at the address above or emailing lands.eastern@infrastructure-ni.gov.uk stating the grounds of the objection. Information you provide, including personal information, could be published or disclosed under the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations (EIR). For further details on confidentiality, the FOIA and the EIR please refer to www.ico.org.uk
The Department for Infrastructure (a) makes the following Order in exercise of the powers conferred by Article 68(1) and (5) of the Roads (Northern Ireland) Order 1993 (b) and now vested in it (c).

The Department in accordance with Article 68(4) of that Order proposes to abandon the area of road described in the Schedule as it is not necessary.

Notice has been published, served and displayed in compliance with paragraphs 1, 2 and 3 of Schedule 8 to that Order.

Here will follow where appropriate, recitals of the fact of any written objection received or inquiry held and the outcome thereof.

Citation and commencement

1. This Order may be cited as The Manor, Blacks Road, Belfast (Abandonment) Order (Northern Ireland) 2017 and shall come into operation on 2017.

Application

2. The area of road described in the Schedule is abandoned.

3.—(1) All existing cables, wires, mains, pipes or other apparatus placed along, across, over or under the abandoned area of road shall be retained.

(2) All existing rights as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

Sealed with the Official Seal of the Department for Infrastructure on 2017.

(L.S.)

G F McKenna
A senior officer of the Department for Infrastructure

(a) 2016 c. 5 (N.I.)
(b) S.I. 1993/3160 (N.I. 15)
(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV
SCHEDULE

AREA OF ROAD TO BE ABANDONED

An area of 55.878 square metres of Road and Footway (portion of Old Roundabout) on the Manor, Blacks Road, more particularly delineated and shown hatched and coloured red on Map No: - IN1/17/117939.

A copy of the map has been deposited at the Department’s Headquarters, Room 301, Clarence Court, 10 – 18 Adelaide Street, Belfast; and at TransportNI Eastern Division, Hydebank, 4 Hospital Road, Belfast.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abandons the area of road described in the Schedule.
Summary

Committee Meeting Date: 20\textsuperscript{th} June 2017
Application ID: LA04/2016/1158/F

<table>
<thead>
<tr>
<th>Proposal: Change of use from post office to hot food bar with side roof odour extraction flue</th>
<th>Location: 565 Ormeau Road Ballynafoy Belfast BT73JB</th>
</tr>
</thead>
</table>

Referral Route: Hot Food Bar

Recommendation: Approval

Applicant Name and Address: Michael Neil 80A Groomsport Road Bangor BT20 5NF

Agent Name and Address: Hutcheson Irvine Partnership 48 Grays Hill Bangor BT20 3BB

ADDENDUM REPORT

This application was originally presented to Belfast City Council Planning Committee on 14\textsuperscript{th} March 2017 and was deferred for a site visit and for the submission of the following information from Transport NI: -

1) An accident /safety report and
2) A traffic/congestion report

A site visit took place on Thursday 30\textsuperscript{th} March at 2.45 in order to assess traffic congestion. Members acquainted themselves of the site and surrounding area.

Further to the Planning Committee’s request for an accident /safety report and a traffic/congestion report, Transport NI, Network Traffic have considered the request for both an Accident / Safety report and Traffic Congestion report, and have provided the following comments: -

- in relation to congestion, our previous site visits have indicated that traffic congestion in the area is mainly caused by the concentration of vehicles arriving and departing to and from Wellington College and therefore congested for a relatively short duration. Outside of these times our observations indicate the area around the college is moderately parked up.

- based on the accident history, Transport NI, Network Traffic section has no plans to carry out Collision Remedial measures in this vicinity.
C=OLLISION HISTORY SUMMARY 1st April 2013 – 31 March 2016

There have been 4 collisions that have taken place within the vicinity (i.e. within 50m) of St. John’s Avenue/ Ormeau Rd junction near 565 Ormeau Road over the three year period 1 April 2013 – 31st March 2016.

1 no. collision occurred outside a private entrance, involving slight injury to a pedestrian.
2 no. collisions occurred on the Pelican crossing at no.585 Ormeau Rd; involving slight injury to a pedestrian on each occasion.
1 no. collision occurred at the junction of St John’s Avenue and Ormeau Rd, involved slight injury to a pedal cyclist.

Transport NI have concluded: -

It would appear the “traffic issue history” in this area may relate to the concentration of vehicles arriving and departing to and from Wellington College. As such, it is considered that the operational times of the applicants proposed business would not have a significant impact on the already congested school drop-off and collection periods.

Recommendation

The recommendation therefore remains to approve the application as per the original case officer’s report attached as Appendix 2 to this addendum report.

It is recommended that the delegated authority is given to the Director of Planning & Place to approve the application with conditions with the final framing and wording of conditions to be delegated.
# Development Management Officer Report
## Committee Application

## Summary

<table>
<thead>
<tr>
<th>Committee Meeting Date:</th>
<th>14 March 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application ID:</td>
<td>LA04/2016/1158/F</td>
</tr>
<tr>
<td>Proposal:</td>
<td>Change of use from post office to hot food bar with side roof odour extraction flue</td>
</tr>
</tbody>
</table>
| Location:              | 565 Ormeau Road  
                          | Ballynafoy  
                          | Belfast  
                          | BT73JB |
| Referral Route:        | Hot Food Bar |
| Recommendation:        | Approval |
| Applicant Name and Address: | Michael Neil  
                           | 80A Groomsport Road  
                           | Bangor  
                           | BT20 5NF |
| Agent Name and Address: | Hutcheson Irvine Partnership  
                           | 48 Grays Hill  
                           | Bangor  
                           | BT20 3BB |

### Executive Summary:

Full planning permission is sought for a change of use from retail to a hot food outlet. The proposal includes an odour extraction flue to the side.

The key issues in assessment of the proposed development include:

- The principle of a hot food use at this location;
- Impact on amenity of neighbouring properties;
- Impact on traffic flow;

The site is located within the city development limits for Belfast as designated within the Belfast Metropolitan Area Plan 2015.

The proposal has been assessed against the requirements of the Strategic Planning Policy Statement: Planning for a Sustainable Development and Development Control Advice Note 4: Restaurants, Cafes and Fast Food Outlets.

The principle of a hot food bar at this location is considered acceptable and the applicant does not propose any changes to the external fabric of the building therefore design issues do not arise.

Transport NI, NI Water and Environmental Health have no objection to the proposal subject to the inclusion of conditions and informatives.

22 letters of objection and 11 comments in support of the proposal were received.

It is recommended that the application is approved subject to conditions.
Characteristics of the Site and Area

1.0 Description of Proposed Development

The proposal is for a change of use from a post office (Class A1) to a fast food outlet (sui generis). The proposal also involves the instillation of an odour extraction flue to the side elevation of the building.

2.0 Description of Site

The site is located at no.565 Ormeau Road. It occupies the corner property where the Ormeau Road meets St John’s Avenue and consists of a small (69sqm) single storey building. The property was formerly used as a post office and is adjacent to a petrol filling station forecourt and associated Mace convenience store. The area to the south beyond the filling station along the Ormeau Road and to the north is predominantly residential. Opposite the site are the grounds of Newtownbreda Presbyterian Church and a private dental surgery. Further south along the Ormeau Road at the junction with Knockbreda Park is a Co-operative supermarket.

The site does not fall within any designated zones but does lie along the Ormeau Road Arterial Route (AR01/12).

Planning Assessment of Policy and other Material Considerations

3.0 Relevant Planning History - None
### 4.0 Policy Framework

Belfast Metropolitan Area Plan 2015
Strategic Planning Policy Statement
Development Control Advice Note (DCAN) 4: Restaurants, Cafes and Fast Food Outlets

### 5.0 Other Material Considerations

PAC Decision 2016/A0014 – An appeal against a decision to refuse permission for a hot food takeaway due to impact on residential amenity was allowed (Beechfield Street)

### 6.0 Statutory Consultees

Transport NI – No objection
NI Water – No objection

### 7.0 Non-Statutory Consultee Responses

BCC - Environmental Health Department – No objection subject to conditions

### 8.0 Representations

The application has been neighbour notified and advertised in the local press. 22 letters of objection have been received and 11 comments in support of the proposal.

A summary of the issues raised by the objectors is as follows:

- Odour issues created by the proposal
- Potential increase of noise generated by vehicles and pedestrians would cause a negative impact on local residents
- Increase in traffic congestion and the potential for potential accidents
- Inadequate parking in the area
- Night-time trade would increase potential issues of public safety from antisocial behaviour
- Potential litter problems adding to local problem with vermin
- The proposal will cause harm to local residential amenity as a fast-food outlet is not in character of the area
- Proliferation of takeaways nearby further along the Ormeau Road
- Concern over local school children being tempted to eat unhealthy food sold at the premises
- Lack of notification – no clear indication of the proposal being posted anywhere prominent
- Misleading parking survey
- Comments in support of proposal being massively outweighed by objections; most support comments coming from residents who are not immediately impacted

The above issues will be dealt with in the assessment below.

### 9.0 Assessment

9.1 The site does not fall within any designations in BMAP other than falling along an Arterial Route (AR01/12). AR01 of BMAP states Arterial Routes are the main radial roads which connect Belfast City Centre to the surrounding suburban residential areas have historically functioned, not only as principal transportation corridors but also, as retail and
service centres providing important social, commercial, shopping and leisure functions for the communities which live along the routes. The proposal for a commercial use is not contrary to this policy.

9.2 The Strategic Planning Policy Statement states: The planning system has a key role in achieving a vibrant economy. In this regard, the aim of this SPPS is to facilitate the economic development needs of Northern Ireland in ways consistent with the protection of the environment and the principles of sustainable development. In addition, sustainable development should be permitted unless the proposed development will cause demonstrable harm to interests of acknowledged importance. The proposed development is not contrary to this general aim of the SPPS.

9.3 DCAN 4
The proposal falls to be considered under DCAN 4 which states that many urban areas contain commercialised radial routes which have similarities with district and local centres and therefore proposals for hot food bars will be subject to the same considerations as those applicable to district and local centres. The factors to be considered include the impact on the vitality and viability of the area and the need to retain local retailing, the ability of the area to absorb the proposal, the quality and attractiveness of the development, the impact on the amenity of adjoining residential areas in terms of noise disturbance, smell, fumes or litter.

Impact on the vitality and viability of Ormeau Road
DCAN 4 states that the proposal by itself or cumulatively with other non-retail uses should not undermine the primary role of the ‘centre’ in providing local convenience shopping needs and advises that the level and nature of existing non-retail uses and the number of unimplemented valid planning permissions. There are no concerns with the loss of this retain unit at this very minor commercial node.

9.5 DCAN 4 refers to four general areas of concern for fast food outlets:
- noise disturbance
- smells/fumes;
- refuse/litter
- traffic/parking; and,
- provision for people with disabilities.

9.6 The first three points are considered due to their potential Impact on the amenity of adjoining residential areas
DCAN 4 refers to various sources of noise disturbance in terms of vehicles, people and associated equipment with catering facilities.

9.7 The Council’s Environmental Health Unit was consulted and raised no concerns regarding noise and nuisance and are content with the proposal subject to conditions and informatives. The installation of the flue to the side of the property, which terminates 1 metre above the eaves of the building is considered sufficient to disperse odour. A number of objections were received from local residents outlining concerns with odour created by the proposal, however, Environmental Health have no objections on these grounds.

9.8 Objections also raised issues with noise and nuisance associated with the proposal by vehicles and pedestrians attracted to the business. The previous use of the unit as retail, which would generate pedestrian and vehicular traffic to the site is a material consideration and it is therefore considered, the impact of the change of use would not be sufficiently detrimental to adjacent residents as to warrant a refusal on these grounds.
Transport NI were consulted on the proposal. Following submission of a parking survey they did not offer any objections to the proposal in terms of road safety or parking. An objection was received following submission of the parking survey raising concerns to the accuracy of the information submitted. Transport NI have confirmed they are content with the survey. The applicant was required to demonstrate 8 parking spaces within 200m of the business. Transport NI have omitted any parking spaces within 15m of a junction or on double yellow lines and are content 8 parking spaces are available at the peak hours of the Hot Food Bars business. It is also noted that peak hours of use for the Hot Food Bar would not coincide with school drop off/pick up hours.

NI Water was consulted and confirmed that the existing premises were already connected to public water and sewerage networks.

Response to other issues raised by objectors

Although the area to the east of the site along St Johns Avenue and to the north along the Ormeau Road is predominantly residential, there is a mixture of land uses in the vicinity including a filling station, a Co-op supermarket along with a Church and an orthodontist practice. As there is a mixture of uses besides residential the proposed hot food takeaway would therefore not be out of character in the area. Additionally, the site was formerly a post office and not itself in residential use.

As above, the Council’s Environmental Health Unit was consulted with regard to any potential issues relating noise, air pollution, general amenity and contaminated land caused by the proposal. It responded with no objection subject to a condition relating to the installation of an odour abatement system. This has been included in the proposal with an extraction flue terminating 1m above the eaves on the gable end of the unit. It is therefore not considered that the proposal will result in any unacceptable impact on local residents in terms of noise or odour. As regards potential littering, it is to be conditioned that litter bins be placed outside of the premises when the shop is open for business. It is also considered a condition restricting opening times between 8am to 10pm will further protect residential amenity. Any issues with regards vermin at the site or in the vicinity would also be an Environmental Health matter.

Concerns that local school children being tempted to eat unhealthy food sold at the premises is not considered to be a planning matter.

All occupants of neighbouring land were written to about the proposal and it was advertised in the local press. The statutory requirement of advertising and notification of the proposal was therefore adhered to.

While it is noted that the number of objections to the proposal outweigh the number of representations in support, all issues raised were given balanced consideration.

Material consideration must be given to PAC Decision 2016/A0014 in which an appeal against a decision to refuse permission for a hot food takeaway due to impact on residential amenity was allowed.

Conclusion

Having regard to the relevant planning policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended for approval subject to conditions.
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<thead>
<tr>
<th>Neighbour Notification Checked: Yes</th>
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<tr>
<td><strong>Summary of Recommendation:</strong> Approval Subject to Conditions</td>
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</table>

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
   
   **Reason:** As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The premises shall not be open to the public outside 08.00 and 22.00 hours.
   
   **Reason:** In the interest of residential amenity.

3. Deliveries and collections by commercial vehicles shall only be made to and from the site between 08.00 and 22.00 hours.
   
   **Reason:** In the interest of residential amenity.

4. In accordance with Drawing No. 04, date stamped 13 May 2016, a proprietary odour abatement system shall be installed to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation ducting shall terminate at a height not less than 1 metre above the eaves height of the main building and it should be directed away from nearby residential premises and be cleaned and maintained thereafter.
   
   **Reason:** In the interest of public health.

5. A minimum of two litter bins will be provided outside of the premises at all times.
   
   **Reason:** In the interest of visual amenity and public health

**Informatives**

1. Notwithstanding the terms and conditions of the Planning Authority’s approval set out above, you are required under Article 71-83 inclusive of the Roads (NI) Order 1993 to be in possession of the Department for Infrastructure’s consent before any work is commenced which involves making or altering any opening to any boundary adjacent to the public road, verge, or footway or any part of said road, verge, or footway bounding the site. The consent is available on personal application to the TransportNI Section Engineer whose address is: Belfast South Section Office, 1A Airport Road, Belfast, BT3 9DY. A monetary deposit will be required to cover works on the public road.

2. All construction plant and materials shall be stored within the curtilage of the site.

3. The applicant is advised to contact NIW Waterline on 03457 440088 or waterline@niwater.com, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.

4. This development requires the installation of a grease trap.

5. **CLEAN NEIGHBOURHOOD AND ENVIRONMENT (NORTHERN IRELAND) ACT 2011**
   The applicant is advised to ensure that all plant and equipment used in connection with the hot food bar is so situated, operated and maintained as to prevent the transmission of noise to nearby residential premises.
## ANNEX

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<td>Dr Alistair McDonnell MP – Objection</td>
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<td>Cllr Kate Mullan – Objection</td>
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<td>Paula Bradshaw MLA- Objection</td>
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<td>Claire Hanna MLA – Objection</td>
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<td><strong>Proposal:</strong> Erection of residential development comprising 9 dwellings, site access and all associated works.</td>
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<td><strong>Location:</strong> Lands adjacent and south of 60 Distillery Street Belfast BT12 5BJ</td>
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<td><strong>Referral Route:</strong> Cllr Beattie has asked for this case to be heard by the Planning Committee.</td>
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<td><strong>Recommendation:</strong> Refuse</td>
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<td><strong>Applicant Name and Address:</strong> Dixons Contractors Ltd 143 Tullaghans Road Dunloy Ballymena BT44 9EA</td>
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<tr>
<td><strong>Agent Name and Address:</strong> TSA Planning 29 Linenhall Street Belfast BT2 8AB</td>
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**Executive Summary:**

This application seeks full planning permission for 9 dwelling units, made up of 5 houses -2 semi-detached pairs of houses and a detached house; and an apartment block consisting of 4 apartments; site access and all associated works.

The main issue to be considered is:

(i) residential amenity, in-particularly noise levels as a result of the site being adjacent to the Westlink/M1 corridor.

The site is located within Belfast’s development limits as designated in the BUAP 2001 and Draft BMAP 2015. The site is not zoned. The application has been assessed against the development plan, BUAP and draft BMAP, the Strategic Planning Policy Statement (SPPS), and relevant policies, including PPS3: Access, Movement and Parking, PPS7 Quality Residential Environments.

All relevant neighbours were notified and the proposal was advertised in the local press. No objections were received. The agent forwarded a representation including a number of letters of support, including elected representatives and the Northern Ireland Housing Executive (NIHE) supports the application as there is a need for social housing in the area.

TransportNI (TNI) & Northern Ireland Water (NIW) were consulted and raised no objections. Environmental Health has raised concerns with regard to noise implications resulting from the proximity of the Westlink.
It is recommended that the application is refused for the reason set out in the report.

Case Officer Report

Site Location Plan
Representations:

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<tr>
<td>Number of Petitions of Objection and signatures</td>
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Characteristics of the Site and Area

1.0 Description of Proposal
The proposed development involves the erection of residential development consisting of 9 dwellings (comprising an apartment block of 4no. 2 bedroom apartments; 2 pairs of 4 bedroom semi-detached houses and 1no detached 4 bedroom house). The layout provides for 17 car parking spaces and landscaping. Vehicular access is from Distillery Street.

2.0 Description of Site
The application site is a brown-field site, located within a mixed residential/commercial area adjacent to the West Link. The Westlink is to the south and east of the site. To the north is a fuel distribution centre (formerly part of the ‘Economy Fuels’ site) and to the west is an area of high density housing. The land immediately to the south of the site is owned by NI Water. The site is rectangular in shape, relatively flat with gravel hard surface. It is enclosed by railings of approximately 2m on three sides and by landscaping/shrubbery and the Westlink on the eastern boundary of the site.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History
Both these applications for social housing schemes of 20 and 18 houses respectively were withdrawn. The sites sit adjacent to this site.

Area of open space, 2m wall and railings, turning head for adjacent development and associated landscaping. This is an adjacent site. Planning permission was granted 27th July 1995.

There is no specific site history for this exact site.

Construction of 10 two-storey dwellings at ‘vacant land at Devonshire Street, off Cullingtree Road, Belfast’. This application was approved in August 2010.

4.0 Policy Framework
Belfast Urban Area Plan 2001 (BUAP), Statutory Development Plan
Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP)
Strategic Planning Policy Statement (SPPS)
Core Planning Principles set out in paragraphs 4.1- 4.22 of and Good Design Principles, paragraphs 4.23-4.30 are relevant.

Planning Policy Statement (PPS) 3 Access, Movement and Parking
PPS7 Quality Residential Environments

5.0 Statutory Consultees
TNI - raised no objection to the proposal subject to the inclusion of a number of conditions
NIW- raised no objection to the proposal subject to the inclusion of a number of conditions
NIHE – NIHE stated ‘There is social housing need in this area. Social Housing is provided through registered Housing Associations’. The agent has submitted supporting letter indicating that the contractors ‘Dixons’ have been supplying social housing to Housing Associations throughout Northern Ireland for the past 30 years and that the houses will be social housing. The description of the application as submitted does not make reference to social housing and the applicant is not a housing association.

6.0 Non Statutory Consultees
In terms of air quality and land contamination issues, Environmental Health (EH) are satisfied that the proposal can be made acceptable through appropriate mitigation. In terms of noise levels, the proposed site is unacceptably affected by noise from the adjacent Westlink.

Environmental Health (EH) has advised that the noise levels inside and outside of the dwellings are predicted to be above the relevant standards. EH advised that there is provision to relax the standard by 5db if the development is considered ‘necessary or desirable’. It is considered that family housing on the site, subject to high levels of noise, is neither necessary nor desirable.

7.0 Representatives
Neighbours were notified by Council and the proposal was advertised by the Council in the local press. No objections were received.

The agent submitted a number of documents of support from local community groups. The South West Action Team – a partnership initiative engaging Roden Street Community Development Group, Blackie River Community Group, South City Resource Centre, Male Care, Frank Gillen
Centre and GVRT support the application for a number of reasons:

1. improve the physical appearance of the area

2. the site is adjacent to an area which has traditionally faced anti community activity:- the development will significantly assist in decreasing this problem creating a ‘lived in ‘space rather than the current situation which has resulted in loitering

3. there is a substantial waiting list for housing in the Grosvenor estate with demand outstripping supply. The area has a stable community infrastructure and high levels of positive engagement. The opportunity for more people to avail of homes in the Grosvenor area will assist positive community development

4. The site is located near the interface (adjacent to the Westlink motorway). The ‘back fields’ at Roden Street and Distillery Street have witnessed historically some instances of negative interface activity particularly during the summer months. A new housing development will improve the site and its surroundings, lessen loitering and help eradicate bonfire building

5.  The site is located near the Westlink motorway, however, there is a clear precedent established in the surrounding locale for homes near the motorway in terms of factors to mitigate against road noise, including Distillery Street, Roden Street (both Village and Grosvenor sides) and at Devonshire.

6. The site will help to further the aims of existing housing and environmental improvement proposals for the Grosvenor rea and compliments locally and driven strategies related to provision of quality homes for families.

7. Similar developments in and around Grosvenor estate, such as Arundel (fold housing) have worked exceptionally well and contributed to the existing housing stock and owner occupiers quality of lives by creating a vibrant and diverse estate.

8. The site inhabitants will benefit from existing support networks at Grosvenor Community Centre, local schools and service providers,

9. Research undertaken by Grosvenor Community Centre (door to door surveys, survey monkey needs analysis undertaken quarterly, onsite housing and policy launches), have consistently indicated the highest priority as more access to housing opportunities and ability to reside directly in the Grosvenor estate.

10. The site will compliment other initiatives such as ‘building successful communities’, Grovetree House, the Belfast transport Hub, contributing to internal estate improvements along wider City Centre and Grosvenor Road physical development strategies,

11. The South West Action Group are happy to host any further engagement events related to proposed housing and work closely with NIHE and housing associations including representation on the Greater Falls Housing Providers Forum and Housing Consumer Panel.

Other Supporting organisations include;
Grosvenor Community Centre
Roden Street Residents and Tenants Group
Filipino Community Forum
Roden Street Youth Sub Group
Greater Falls neighbourhood Partnership
8.0 Other Material Considerations

Z/2009/1408/F – Construction of 10 two-storey dwellings at ‘vacant land at Devonshire Street, off Cullingtree Road, Belfast’. This application was approved by the DOE in August 2010. Although EH highlighted a concern about noise levels on this site, it was considered that on the basis of a submitted noise impact assessment, the planning permission should include mitigation conditions.

9.0 Assessment

Development Plan

Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP 2001. However, given the stage at which the Draft BMAP had reached pre-adoption through a period of independent examination, Draft BMAP remains a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker in each particular case.

In the BUAP the site is not subject to any zonings or designations and the plan is silent on the proposal. In Draft BMAP a small triangular portion at the north-west corner of the site falls within an area zoned as an area of existing employment. The majority of the site is un-zoned (white land). It is considered that the proposal is in keeping with Draft BMAP and the small overlap with the zoning will not prejudice the retention of the zoned land for industrial use.

With regard to SPPS one of the core principles in decision making is to support a key priority of improving health and well-being. For the purposes of the SPPS, the World Health Organisation (WHO) defines health as ‘a state of complete physical, mental and social well-being and not merely absence of disease or infirmity’. It is considered that the development is contrary to the core planning principles set out in the SPPS as noise levels at the site exceed those recommended by WHO and the British Standard (BS 8233:2014).

External Noise

The level of external noise in the rear gardens of the proposed development is 63-68 decibels (dB) and exceeds the levels recommended by the WHO. The WHO guidance for external amenity space is 50-55dB.

English Planning Policy Guidance document (PPG24) referred to by the Environmental Health states that above 55dB, noise levels should be taken into consideration when determining planning applications.

Draft Professional Guidance on Planning and Noise produced by the Institute of Acoustics, ANC (Acoustics and Noise consultants) and The Chartered Institute of Environmental Health advise the following:

50-63dB – low risk of adverse effect on health and quality of life.
63-69 dB there is a medium risk with a significant adverse effect on health and quality of life

Evidence submitted as part of this application indicates that on Tuesday 5th April 2016 between 10.15 and 14.20hrs external noise level at the site were 63-68 dBs, these figures exceed day time recommended levels by 13 - 18dB externally.

The site plans submitted indicate that a noise barrier 2.4m acoustic barrier along the northern and southern boundary of the site; acoustic engineers ‘Lester Acoustics’ suggest extending the fence to also screen the gardens from traffic noise. EH remain concerned that ‘the noise levels
within the outside garden space is extremely high and that potential mitigation to improve the external noise climate for families occupying these four bedroomed houses has not been adequately explored'. EH has advised that extending and augmenting an existing fence along the boundary of the site would not reduce the external noise levels to an acceptable level.

Indoor daytime living space
Lester acoustics report 68dB at ground floor and 73 dB at first floor based on the daytime external noise levels. Lester Acoustics advised that appropriate mitigation measure by way of specialist acoustic glazing, an enhanced acoustic ceiling and an appropriate ventilation system would be introduced. A ventilation system would be necessary as the rear windows would require to be sealed shut. Thus indoor daytime noise levels would be reduced to 40dB and 35dB at night.

Expert guidance (WHO and British Standards (BS)) recommend night time noise levels in the bedroom should not exceed 30dB between 2300-0700hrs. ‘Where development is considered necessary or desirable despite noise levels above WHO guidelines, internal target levels can be relaxed by up to 5dB and reasonable internal conditions still achieved, levels exceeding by 5dB or more are considered ‘unreasonable’.

Essentially, if the proposal is deemed ‘necessary or desirable’, internal levels of 35dB & 40dB may be considered to be a ‘reasonable standard’. For this target to be achieved, extensive mitigation including acoustically sealed rear windows would be required. It is considered that the application site is not a sustainable location for family housing. The proposal is not specified as social housing although it is suggested that it will be social housing. The site is not zoned as a social housing site and is not required to be social housing in planning terms. It is proposed that the development is necessary and desirable in that it could potentially provide social housing in an area of social housing need. No evidence has been provided that this specific site is necessary to deliver social housing need in the area. It was not zoned for social housing in Draft BMAP. A new LDP is being prepared and social housing need and site identification will be undertaken as part of the plan preparation process. This would include a consideration of a site’s suitability for housing. It remains the view that this site would not provide an acceptable living environment for family housing regardless of whether it is for private or social housing.

It is suggested that the development of the site would reduce anti-social behaviour. The site is currently secured by a tall metal fence. It is considered that the development of the site may increase supervision of adjacent vacant land but this benefit is not considered to outweigh the adverse impact on the residential amenity of proposed occupiers of the dwellings.

PPS3 TransportNI are satisfied the proposal is acceptable with regards to access movement and parking.

PPS7 Quality Residential Environments Policy QD1
The proposal is in keeping with most elements of policy QD1,
A) the development respects the surrounding context and is appropriate to the site in terms of layout, scale, proportions and massing and appearance of buildings, structures and landscaped and hard surfaced areas,
B) features of the built environment and landscape features are protected and integrated into the scheme
C) there is adequate provision for public and private open space, boundaries will be landscaped and rear gardens are of an acceptable size. There is sufficient amenity space also for the apartment development to the north of the site,
D) the development is not big enough to require the developer to contribute to local neighbourhood facilities
E) TransportNI are satisfied that the scheme promotes a movement pattern that supports walking and cycling
F) Again TransportNI are satisfied adequate provision has been made for parking
G) Materials and detailing are satisfactory
H) the design and layout will not create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking loss of light, over shadowing, noise or other disturbance; Environmental Health are of the opinion that noise from the Westlink/M1 corridor will be detrimental to residential amenity of proposed residents of the development and on this basis the proposal is considered contrary to Policy QD1.
I) The development is designed to deter crime and promote personal safety.

The proposal meets all criteria except with regard to noise (h).

Neighbour Notification Checked  Yes

Summary of Recommendation:
It is considered that this development is not desirable on the basis of unacceptable noise levels affecting the site. Although it is indicated that the housing will meet social housing need, it is considered the site provides an unacceptable living environment for family housing due to traffic noise from the Westlink which runs adjacent to the site would be detrimental to the residential amenity of those living here. 

Planning approval was granted for a social housing scheme at Devonshire Street in 2010. This was adjacent to the Westlink Corridor, but it was approved prior to the current British Standard published in 2014. It is also considered that this site has a different context in that the rear gardens of these houses are immediately behind a high block wall which provides acoustic mitigation.

On the basis of the above, it is recommended that planning permission should be refused.

Reasons for Refusal:
1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Policy QD1 of Planning Policy Statement 7, ‘Quality Residential Environments’ in that, if approved, the amenity of prospective residents would be adversely affected by noise and disturbance from road traffic noise.

Notification to Department (if relevant)
N/A

Representations from Elected members:
Email of support from Fra McCann, MLA
Request for referral to committee from Cllr Beattie
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**Details of Neighbour Notification (all addresses)**
The Owner/Occupier,
11A Riverside Way, Town Parks, Belfast, Antrim, BT12 5RH,
The Owner/Occupier,
37 Distillery Street, Town Parks, Belfast, Antrim, BT12 5BJ,
The Owner/Occupier,
39 Distillery Street, Town Parks, Belfast, Antrim, BT12 5BJ,
The Owner/Occupier,
41 Distillery Street, Town Parks, Belfast, Antrim, BT12 5BJ,

**Date of Last Neighbour Notification** | 3rd August 2016 |

**Date of EIA Determination** |               |

**ES Requested** | No |

**Planning History**
Ref ID: LA04/2016/1538/F
Proposal: Erection of residential development comprising 9 dwellings, site access and all associated works.
Address: Lands adjacent and south of, 60 Distillery Street, Belfast, BT12 5BJ,
Decision: WITHDRAWN
Decision Date: 22.11.2012

Ref ID: Z/2011/1409/F
Proposal: Erection of 18 No. semi-detached social housing units and associated site and access works (additional information).
Address: Distillery Street, Belfast, BT12,
Decision: WITHDRAWN
Decision Date: 22.11.2012

Ref ID: Z/2008/1884/F
Proposal: Erection of 20 No. semi-detached and terraced houses for social housing.
Address: Distillery Street, Belfast BT12
Decision: WITHDRAWN
Decision Date: 05.10.2009
Ref ID: Z/1977/0348  
Proposal: ERECTION OF BUILDING FOR INDUSTRIAL USE  
Address: 58-60 DISTILLERY STREET  
Decision:  
Decision Date:

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# Development Management Officer Report
## Committee Application

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</tr>
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<td><strong>Proposal:</strong> Change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension.</td>
</tr>
<tr>
<td><strong>Referral Route:</strong> Significant level of objections</td>
</tr>
<tr>
<td><strong>Recommendation:</strong> Approval</td>
</tr>
</tbody>
</table>

### Applicant Name and Address:
Arabica Investments Ltd  
17 Glengoland Crescent  
Dunmurry  
Belfast  
BT17 0JG

### Agent Name and Address:
Peter J Morgan  
17 Glengoland Crescent  
Dunmurry  
Belfast  
BT17 0JG

### Executive Summary:
The application seeks permission for the change of use of the ground floor of a dwelling to coffee shop with first floor store, incorporating a single storey extension to side and rear of the premises.

### Area Plan
The site is zoned as Whiteland with no designated use in Belfast Urban Area Plan 2001 and the Draft Belfast Metropolitan Area Plan 2015.

The main issues to be considered are:
- The principle of a coffee shop and store at this location
- The effect of the proposal upon the character and appearance of the area; and
- On the living conditions on neighbouring properties.

The proposal conforms to the area plan zoning and planning policy. The proposed development is considered acceptable and will not adversely impact on the character of the area or residential amenity.

Consultees offered no objection to the proposal.

21 objections were received to the proposal. It is considered appropriate that the application be presented to the Planning Committee given the level of objections received. The issues raised in the representations are considered in the case officer report.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

### Recommendation
It is recommended that the delegated authority is given to the Director of Planning & Place to approve the application with conditions with the final framing and wording of conditions to be delegated.
1.0 Description of Proposed Development
The proposal if for a change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension.

2.0 Description of Site
The application site is located at No 1 St Agnes Drive. The site is within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan 2015 and within an area with no designated use in Belfast Metropolitan Area Plan 2015. The building is currently a vacant semi-detached dwelling. Boundary treatments include a fence to the front and side of the dwelling. The area is mixed use with residential properties along St Agnes Drive and commercial and retail units along the Andersonstown Road including a hairdressers and hot food bar located adjacent to the site.

3.0 Site History
3.1 Z/2005/0754/F- 1 St Agnes Drive, Belfast. Proposal to include change of use from residential dwelling to retail units on the ground floor and office accommodation on the first floor as well as a two storey extension to rear. Permission granted 12/05/2006.

4.0 Policy Framework
4.1 Belfast Urban Area Plan (BUAP) 2001
Draft Belfast Metropolitan Area Plan (BMAP) 2015

4.2 Strategic Planning Policy Statement for Northern Ireland
Planning Policy Statement 3- Access, Movement and Development Control Advice Note 4- Restaurants, Cafes and Fast Food Outlets.

5.0 Statutory Consultees
5.1 None
6.0 | **Non-Statutory Consultees**
---|---
6.1 | Transport NI – No objection
6.2 | Environmental Health- No Objection
   | NIWater- No Objection

### Representations

The application has been neighbour notified and advertised in the local press and 11 objections was received raising the following concerns:

- Health and safety.
- Parking/ traffic.
- Privacy/impact on residential properties.
- Anti-social behaviour
- Noise/nuisance
- Numerous cafes in area.

### Other Material Considerations

8.1 | None

### Assessment

9.1 | Development Plan

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 consideration indicate otherwise.

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.

The site is unzoned, (whiteland) in the BUAP and draft BMAP, however, the site fronts onto Andersonstown Road, an Arterial Route (AR 01/08) as designated in Draft BMAP.

**Principle of development**

The main issues to be considered are:

- The principle of a coffee shop and store at this location
- The effect of the proposal upon the character and appearance of the area; and
- On the living conditions on neighbouring properties.

The proposal is for a Change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension.

Previous plans submitted included a coffee shop at ground floor with a first floor apartment above, amendments were sought to change the apartment to a store. Amended drawings were submitted on 16th January 2017 to show access from the store to the coffee shop, removal of the garden roof terrace at first floor level, planting and the extension set back from the building line.

21 objections were received to the proposal. The main issues raised in the objections as set out in paragraph 7.0 are considered in the assessment below.

The proposal has been assessed against Planning Policy Statement 3. TransportNI offers no objection to this proposal.
**SPPS**

Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

**Development Control Advice Note 4 – Restaurants, cafes and fast food outlets**

Development Control Advice Note 4 – Restaurants, cafes and fast food outlets is relevant. DCAN4 sets out a number of factors to assess the proposal against, Noise disturbance, smells and fumes, refuse and litter, traffic considerations and car parking and provision for people with disabilities.

Environmental Health was consulted and considered the above listed considerations and the noise impact assessment submitted. Environment Health recommended that the coffee shop shall not operate between the hours of 11pm and 7am. Deliveries and collections by commercial vehicles to and from the development shall only be made between the hours of 7.00 and 23.00hrs. No food shall be fried in the proposed coffee shop.

**Scale, massing and Design**

The proposal includes a single storey extension to side and rear of dwelling to provide a coffee shop at ground floor level with a first floor store above. The proposed changes at first floor level are internal with no external changes such as additional windows.

The proposed coffee shop faces onto the main Andersonstown Road. The front elevation of the coffee shop is to consist of facing brickwork and a grey powder coated aluminium shop front with glazing and a door. A flat roof is proposed on the extension. A 1.2m high wall and fence is proposed to the front and side elevation, with a planted area behind. The rear elevation consists of grey powder coated aluminium shop front with a roller shutter. The proposed elevation that fronts onto St Agnes Drive consists of a planted area with a brick wall and fence on top.

**Impact on neighbouring amenity**

The proposal is located on a corner site at the junction of St Agnes Drive and the Andersonstown Road with a dwelling adjoining the property. St Agnes Drive is an established residential area consisting of semi-detached dwellings similar in design and appearance.

The site is unique in that it is a vacant residential property which protrudes onto a predominately commercial frontage on the Andersonstown Road. Although the single storey side extension will break the building line on Andersonstown Road its visual impact is lessened by the fact it has a flat roof and low elevation and also that the existing 2 storey building projects beyond the building line. The planting of trees to the side will also screen the extension setting forward of the building line. Any further visual impact created by the proposal will be insignificant and will not harm the character of the area. The building line along the Andersonstown Road is already stepped and non-uniform.

The built form to St Agnes Drive will essentially resemble that of a domestic dwelling in terms of its scale and massing and to its extent its design. Planting is proposed which will contribute positively to the street scene. The proposal should therefore have minimal impact on the character of St Agnes Drive. The extension will not cause any unacceptable loss of light or over shadowing and will not have a detrimental impact on
the amenity of No 3 St Agnes Drive.

The proposed use of coffee shop is compatible with the locality and the site and the loss of a residential dwelling is not considered detrimental to the overall area. The change of use and extension will improve an existing vacant and derelict dwelling and enhance the character and appearance of the area.

Traffic and Parking
The coffee shop will be accessed directly by pedestrians from Andersonstown Road via a new entrance and will be served by on street parking arrangements which is not unusual in the area as there are a number of commercial/retail businesses in the immediate area with car parking via on street parking.

In respect of traffic considerations and car parking Transport NI has considered the proposal and a parking survey and has no objections to the proposal subject to conditions.

10.0 Summary of Recommendation: Approval

10.1 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.

10.2 The proposed change of use and extension is considered acceptable in its locality, will improve the appearance of this section of the Andersonstown Road and will not adversely impact on visual or residential amenity. Consultees have offered no objections subject to the conditions outlined below. Representations have been considered. Approval is recommended.

11.0 Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
   Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The vehicular access shall be constructed in accordance with Drawing No.05 bearing the date stamp 6th July 2016.
   Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The vehicular access hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of TransportNI.
   Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

4. The development hereby permitted shall not be occupied until the redundant vehicular access from the site to the public road has been permanently closed and the footway reinstated to the satisfaction of TransportNI.
   Reason: In order to minimise the number of access points onto the public road in the interests of road safety and the convenience of road users.
5. Hard surfaced areas shall be constructed in accordance with Drawing No.05 bearing the date stamp 6th July 2016 to provide for parking within the curtilage of 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. 
Reason: To ensure that adequate provision has been made for parking within the curtilage of the site.

6. Prior to the commencement of the hereby approved use, the mitigation measures as outlined in the F.R Mark and Associates Noise and Acoustic Consultants report titled “Noise Impact Assessment, Proposed change of use from a dwelling to a ground floor coffee shop and first floor apartment at 1 St Agnes Drive, Belfast” dated September 2016 shall be fully implemented.
Reason: Protection of Residential Amenity

7. The Rating Level (dBLAr) of sound from all combined building services plant associated with the ground floor commercial premises shall not exceed the background level (day time and night time) at the nearest noise sensitive premises when measured in accordance with assessment methodology outlined in BS4142:2014-Mehtods for rating and assessing industrial and commercial sound.
Reason: Protection of Residential Amenity

8. No service deliveries or collections to and from the premises shall take place between 11pm and 7am.
Reason: Protection of Residential Amenity

9. The premises shall not open for business prior to 07.00 hours or after 23.00 hours.
Reason: Protection of Residential Amenity.

10. The use of the coffee shop hereby approved shall be restricted so that no shallow or deep fat frying of food shall take place on the premises, unless otherwise agreed in writing by the Planning Authority.
Reason: Protection of residential amenity
### ANNEX

<table>
<thead>
<tr>
<th>Date Valid</th>
<th>3rd March 2016</th>
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<tbody>
<tr>
<td>Date First Advertised</td>
<td>25th March 2016</td>
</tr>
<tr>
<td>Date Last Advertised</td>
<td>3rd February 2017</td>
</tr>
</tbody>
</table>

**Details of Neighbour Notification (all addresses)**
- 11 St. Agnes Drive Ballydownfine Andersonstown
- 133A, 134-148 Andersonstown Road, Belfast, Andersonstown, Antrim, Northern Ireland, BT11 9BU
- 2, 3, 5, 7, 9, 21, St. Agnes Drive Ballydownfine Andersonstown
- Paul Maskey MP 53 Falls Road, Belfast, BT12 4PD
- Cafe Kelstar, 133a Andersonstown Road, Belfast, BT11 9BU

**Date of Last Neighbour Notification**

**Date of EIA Determination**

**ES Requested**
- Yes / No

**Planning History**

Ref ID: Z/2010/0293/A  
Proposal: Erection of shop signage  
Address: Units 1-4 and first floor unit Slemish building 105 Andersonstown Road, 133 and 149 Andersonstown Road.

Decision:  
Decision Date: 10.05.2010

Ref ID: Z/2007/1507/F  
Proposal: Proposed demolition of existing dwellings and the construction of 2no retail units with office on the first floor with associated car parking.

Address: 1 & 3 St Agnes Drive, Ballydownfine, Belfast, BT11 8GZ

Decision:  
Decision Date: 04.03.2008

Ref ID: Z/2005/0754/F  
Proposal: Proposal to include change of use from residential dwelling to retail units on the ground floor and office accommodation on the first floor as well as a two-storey extension to rear.

Address: 1 St Agnes Drive, Ballydownfine, Belfast, Northern Ireland, BT11 8GZ

Decision:  
Decision Date: 13.04.2006

Ref ID: Z/1991/2976  
Proposal: Change of use from dwelling to offices

Address: 1 ST AGNES DRIVE BELFAST BT11
Ref ID: Z/1989/3086
Proposal: Change of use from domestic garage to shop
Address: 137C ANDERSONSTOWN ROAD BELFAST BT11
Decision:
Decision Date:

Ref ID: LA04/2016/0487/F
Proposal: Change of use from dwelling to coffee shop at ground floor and first floor apartment. Single storey side and rear extension.
Address: 1 St Agnes Drive, Andersonstown Road, Belfast, BT11 8GZ,
Decision:
Decision Date:

Ref ID: LA04/2016/0487/F
Proposal: Change of use from dwelling to coffee shop at ground floor and first floor apartment. Single storey side and rear extension.
Address: 1 St Agnes Drive, Andersonstown Road, Belfast, BT11 8GZ,
Decision:
Decision Date:

Summary of Consultee Responses
Transport NI – No objection
Environmental Health- No Objection Subject to conditions
NIWater- No Objection

Drawing Numbers and Title
01 Site Location
02a Proposed Plans
03a Proposed Plans
04 Existing Plans/Elevations

Representations from Elected members:
Letter of objection from Paul Maskey, MP

Notification to Department (if relevant)
N/A
# Summary

**Committee Meeting Date:** 20 June 2017  
**Application ID:** LA04/2016/2291/RM  
**Proposal:** Reserve matters application for erection of 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including boundary wall and fence as per schedule 76 agreement.  
**Location:** Former training ground for Dundela Football Club opposite from 25-45 Dundela Avenue Belfast  

**Referral Route:** More than 12 residential units  
**Recommendation:** Approval  

**Applicant Name and Address:** Acheson Homes  
Richard Acheson  
104A Circular Road  
Belfast  
BT4 2GF  

**Agent Name and Address:** Site Express  
Unit 8  
Belmont Business Park  
Belfast  
BT4 3BQ

**Executive Summary:** The application seeks planning approval for erection of 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including a boundary wall and fence as set out in the Section 76 agreement arranged as part of the outline permission relating to this site under planning application Z/2014/0271/F.  

The main issues to be considered in this case are:  
- Acceptability of the design and layout  
- Impact on residential amenity  
- The impact on existing roads infrastructure  
- Flood risk  
- Land contamination

The site not located within any draft BMAP designation. The proposal has been assessed against the SPPS, Planning Policy Statements 3, 7, 15 and the Addendum to PPS 7.  

A previous outline application (Ref: Z/2014/0271/F) relating to this application was allowed (subject to conditions) by the Planning Appeals Commission (PAC) following an appeal and is the subject of a Section 76 agreement relating to ground improvement works to be carried out at Dundela Football Club.  

Nine objections were received to this proposal raising the following concerns: car parking, traffic, height of buildings, design of proposal, loss of privacy, impact on local character, density, no public notice, impact on vegetation, loss of open space, dominance and construction traffic disruption.  

Having regard to the policy context and other material considerations above, the proposal is deemed to be acceptable and is recommended for approval. It is requested that the final framing of the conditions be delegated to the Director of Planning and place.
Case Officer Report

Site Location Plan

[Diagram of a site location plan with annotations]

- Retaining wall to boundary and ground improvement works to be completed in accordance with the agreement.
- Total open space approximately 8000 m² made up of usable open space, buffer, and area of visual amenity planted, sloping banks.
- Planting to be approved as per the plan on file.
## Characteristics of the Site and Area

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.0</strong></td>
<td><strong>Description of Proposed Development</strong>&lt;br&gt;This is a reserved matters application for erection of 22 apartments comprising 3 blocks (4 storey) with a new access to Dundela Avenue and associated site works including boundary wall and fence as set out in the Section 76 Planning Agreement relating to the previous outline permission on the site.</td>
</tr>
<tr>
<td><strong>2.0</strong></td>
<td><strong>Description of Site</strong>&lt;br&gt;The site is located approximately 3km east of Belfast City centre. It is bounded by Wilgar Park football grounds (Dundela FC) to the North; unoccupied lands and Dundela infant primary school beyond the site boundary to the east. Dundela Avenue runs parallel to the site to the south with residential properties along the opposite side of this road. The topography of the site and surrounding area slopes markedly downwards to the north and west. The land is currently unoccupied and surfaced with grass and overgrown vegetation.</td>
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## Planning Assessment of Policy and other Material Considerations

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>3.0</strong></td>
<td><strong>Site History</strong>&lt;br&gt;Z/2014/0271/F- Former training ground for Dundela Football Club situated opposite from 25-45 Dundela Avenue, Belfast, BT4 3BQ- Housing development for 23 apartments across 5 blocks with a new access created to Dundela Avenue and all associated site works. Outline permission allowed on appeal (To Note: An amended scheme was submitted at appeal stage (2014/AO139) by the Appellants. They requested that the application be changed to an outline proposal, seeking only permission in principle at that stage.)&lt;br&gt;Z/2004/0133/O – Site for residential development of 17 no. apartments, Land within Wilgar Park, Wilgar Street, inc. nos. 1&amp;2 Dundela Avenue, opposite nos. 25-45 Dundela Avenue, Belfast Permission refused. Allowed on appeal (Ref: 2004/A414) and was the subject of a Planning Agreement which set out arrangements for profits from the proposed scheme to be used for the benefit of Dundela Football Club on the basis that at least 75% of the monies be used for ground improvements and no more than 25% be used to clear the Club’s outstanding debts.</td>
</tr>
<tr>
<td><strong>5.0</strong></td>
<td><strong>Statutory Consultees Responses</strong>&lt;br&gt;5.1 Transport NI – No objections subject to conditions Rivers Agency – No objection</td>
</tr>
<tr>
<td><strong>6.0</strong></td>
<td><strong>Non Statutory Consultees Responses</strong>&lt;br&gt;6.1 Environmental Health – No objection subject to conditions</td>
</tr>
</tbody>
</table>
7.0 **Representations**

7.1 Nine objections received. Concerns raised include car parking, traffic, height of buildings, design of proposal, loss of privacy, impact on local character, density, no public notice, impact on vegetation, loss of open space, dominance and construction traffic disruption.

8.0 **Other Material Considerations**

8.1 Creating Places guidance

9.0 **Assessment**

9.1 The key issues in the assessment of the proposed development include:
- Design, scale and massing
- Impact on residential amenity
- The impact on existing roads infrastructure
- Flood risk
- Contamination

9.2 **Background**

Two previous approvals for the application site (Z/2004/0133/O and Z/2014/0271/F) were allowed on appeal and both were the subject of Planning Agreements to secure benefits for the adjoining football club.

9.3 The first planning agreement (Ref: Z/2004/0133/O) set out arrangements that profits from the proposed scheme were to be used for the benefit of Dundela Football Club on the basis that at least 75% of the monies be used for ground improvements and no more than 25% be used to clear the Club’s outstanding debts. The most recent Section 76 Agreement (Ref Z/2014/0271/F) amended the above arrangements to secure at least 25% of the monies for ground improvements for Dundela Football Club and no more than 75% to be used to clear the Club’s outstanding debts. Ground improvement works to the value of £84,720.00 have been secured through the most recent Section 76 Agreement (Z/2014/0271/F) negotiated by Belfast City Council.

9.4 **Reserved matters**

A non-determination appeal for planning application Z/2014/0271/F (Housing development for 23 apartments across 5 blocks with a new access created to Dundela Avenue and all associated site works) was upheld by the PAC on the 13th June 2016. The principle of residential use at this location has been established under the Z/2014/0271/F approval. An amended scheme was submitted at appeal stage (2014/AO139) by the Appellants. They requested that the application be changed to an outline proposal, seeking only permission in principle which was allowed by the PAC. The loss of open space was considered to be acceptable under the appeal and therefore the principle has been established. This reserved matters is required to comply with the conditions set out in the appeal decision.

9.5 **Design, Scale and Massing**

The site is not located within any environmentally sensitive designated areas as set out in draft BMAP. The proposal is for 22 apartments across 3 four storey blocks with outlook onto Wilgar Park to the North and Dundela Avenue to the south. Apartment Nos 1-8 are to be located in Block A, apartment Nos 9-15 in Block B and Nos 16-22 in Block C. Objections highlighted concerns with the design of the proposal, the height of the buildings and considered the proposal to be out of character with the area due to the high density nature of the development. The site sits at a lower level (approximately 3 metres) than Dundela Avenue which reduces the impact of the height of the 4 storey blocks on the local streetscape. The lower ground floor will not be visible from views along Dundela Avenue.
Avenue. The applicant provided a contextual streetscape (as shown on page 3 of this report) illustrating the proposed development set against the existing streetscape. This demonstrates that the roofline height of the apartment blocks is in keeping with the wider residential development opposite the site and it is considered that the height of the proposed blocks is acceptable in the context.

9.6 Criterion (g) of Policy QD 1 (PPS 7) states that the design of the development should draw upon the best local traditions of form, materials and detailing. The site is not located within an Area of Townscape Character or a Conservation Area. The proposed layout and design is considered to be in keeping with its context. The proposed materials include brick and render finishes which replicate materials already in use in the area and are acceptable.

9.7 The proposed development has been designed to meet the prevailing space standards set out in the Housing Association Guide and Annex A of the Creating Places guidance document. The buildings comply with the bulk, scale and massing of existing buildings in the local context. The proposed density is not significantly higher than that found in the established residential area, as there is a mixture of densities present in the area. The pattern of development is in keeping with the overall character and environmental quality of the established residential area and it is therefore considered acceptable in this context of the urban streetscape.

9.8 The outlook from all apartments ranges from views across Dundela FC’s playing field to views across Dundela Avenue and landscaped areas. The proposal includes retaining walls which are required due to the topography of the site and in line with the conditions set out under the outline approval. The retaining walls run parallel to the boundary of Dundela FC and are 1.6m in height. A 2.4m fence will run above the retaining wall in order to demarcate the boundary along the Northern aspect of the site. Details provided of the proposed retaining structures are considered acceptable.

9.9 Impact on Residential amenity
Local residents objected to the impact the proposal would have on their residential amenity. The proposal has been assessed against paragraph 4.12 of the SPPS, in terms of potential impact on amenity of neighbouring properties. It is considered that the proposed buildings will not have a detrimental impact on the general amenity of neighbouring residents.

9.10 Overlooking/Loss of light
Criterion (h) of Policy QD 1 (PPS 7) states that a proposed layout should not create conflict by overlooking between proposed and/or existing properties. There are no issues with overlooking pertaining to the proposed development due to the separation distances of approx. 35-50 metres between the proposed buildings and the buildings across the opposite side of the road along Dundela Avenue. The position of the proposed development relative to the direction of the sun would mean that there would be no unacceptable loss of light to existing residents. Having carefully considered the concerns of the objectors, I find that none of these matters, either individually or cumulatively, would warrant refusal of the proposal.

9.11 Dominance
Criterion (h) of Policy QD 1 (PPS 7) states that the layout will not create conflict by dominance between proposed and/or existing properties. The proposal does not create any issues pertaining to dominance with this proposed development. Separation distances are adequate as mentioned in the previous paragraph and as a result it is considered that the proposal would not have a detrimental impact on neighbouring and/or
### Amenity Space
The private amenity space provided in this development is commensurate with Creating Places. The site layout identifies a total of 500m² useable amenity space (excluding the sloping landscaping banks adjacent to Dundela Avenue) which as a whole provides more than the minimum space requirement of 220m² for 22 units. As such the proposed amenity space is compliant with criterion (c) of Policy QD 1 (PPS 7).

### Road safety including access and parking - Policies AMP 1 and AMP 6
Objection letters raised concerns regarding traffic intensification, car parking and access arrangements. Transport NI was consulted and having assessed the proposal they have no objections to the proposal which provides 22 parking spaces along with provision for cycle parking. Parking provisions are therefore in line with parking standards; and the site benefits from accessibility to non-car modes due to high quality pedestrian and cycle routes in the local area. The site is also accessible by regular bus services with bus stops located within the recommended walking distances along Holywood Road. Overall there is good accessibility for residents to travel by alternative modes of transport to and from the site. The proposal includes a footbridge link from Blocks A and B onto Dundela Avenue for the convenience of pedestrian access. The proposal complies with Policies AMP1 and AMP 6 of PPS 3.

### Flood risk
A Drainage assessment was submitted and has been assessed against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. The Flood Hazard Map (NI) indicates that the development is not within any river or coastal flood plains and Rivers Agency have no objection to the proposed development from a drainage or flood risk perspective.

### Landscaping
The scheme makes provision for communal amenity space in the form of a landscaped zone which wraps around the northern and western boundaries of the site. The communal area comprises ornamental planting and lawn areas to create variety and interest. Hard and soft landscaping is proposed to enhance the overall quality and character of the space around the buildings and boundaries of the site. Landscaping details will be required to be submitted and approved prior to development as set out in the conditions. The circulation space around the buildings will be finished in paving. The blocks are set back from the footpath and small areas of defensible space provided along the front elevations protect against passers-by looking in. Existing trees are to be retained along the eastern boundary to afford an element of screening along Dundela Avenue.

### Contamination
A condition attached to the outline approval stated that “Prior to the occupation of any part of the development hereby permitted, a verification report shall be submitted to and agreed by the Planning Authority. This report shall demonstrate the successful completion of the proposed remediation works outlined in the Generic Quantitative Contamination Risk Assessment referenced PM14-1170. ” The Department of Agriculture Environment and Rural Affairs (DAERA) replied indicating no objections to the proposal and the Condition was discharged on 16/11/2016 (Ref. LA04/2016/2206/DC).

### Summary of Recommendation:
Approval
Having regard to the policy context and other material considerations the proposal is considered acceptable, the application complies with the outline conditions and planning.
permission is recommended subject to conditions for the following reasons.

The proposed development is considered acceptable in this location. The scale and massing and layout proposed are considered acceptable. There will be no detrimental impact on residential amenity. Statutory and non-statutory consultees have offered no objections subject to the conditions. Approval is recommended.

### Conditions

1. The development to which this approval relates must be begun by whichever is the later of the following dates:-

   i. The expiration of a period of 5 years from the grant of outline planning permission; or
   
   ii. The expiration of a period of 2 years from the date hereof.

   **Reason:** As required by Section 62 of the Planning Act (Northern Ireland) 2011.

2. No development shall take place until there has been submitted to and approved by the Planning Authority a landscaping scheme providing for soft and hard landscaping within the site. The scheme of planting as finally approved shall be carried out during the first available planting season after the commencement of the development. Trees or shrubs dying, removed or becoming seriously damaged within 5 years of being planted shall be replaced in the next planting season with others of a similar size and species unless the Planning Authority gives written consent to any variation.

   **Reason:** To ensure the provision, establishment and maintenance of a high standard of landscape.

3. Before any dwellings are occupied, a landscape management plan shall be submitted to and approved by the Planning Authority setting out the period of the plan, long term objectives, management responsibilities, performance measures and maintenance schedules for all landscaped areas. The landscape management plan shall be carried out as approved.

   **Reason:** To ensure the provision, establishment and maintenance of a high standard of landscape.

4. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with Private Streets Determination drawing No.2511/PSD01.1E bearing Planning Authority date stamp 30th March 2017, 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 area within the visibility splays and any forward sight line shall be cleared to provide a level surface no higher than 250mm above the level of the adjoining carriageway before the development hereby permitted is commenced and such splays shall be retained and kept clear thereafter.

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

6. Any existing street furniture or landscaping within the visibility splays as conditioned
above shall, after obtaining permission from the appropriate authority, be removed, relocated or adjusted at the applicant’s expense.

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

7: The development hereby permitted shall not become operational until the redundant vehicular access from the site to the public road has been permanently closed and the footway reinstated to the satisfaction of the Department for Infrastructure.

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

8: 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.2511/PSD01.1E bearing the Department for Infrastructure Determination date stamp 9th June 2017.

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

9: The development hereby permitted shall not be occupied until hard surfaced areas have been constructed in accordance with Private Streets Determination drawing No.2511/PSD01.1E bearing the date stamp 30th March 2017 to provide for parking and traffic circulation 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.

Reason: To ensure adequate provision has been made for parking and traffic circulation within the site.

10: The development hereby permitted shall not be occupied until any retaining structure requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.

Reason: To ensure that the structure is designed and constructed in accordance with BD2 Technical Approval of Highways Structures: Volume 1; Design Manual for Roads and Bridges.
## ANNEX

<table>
<thead>
<tr>
<th>Date Valid</th>
<th>25th October 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date First Advertised</td>
<td>11th November 2016</td>
</tr>
<tr>
<td>Date Last Advertised</td>
<td></td>
</tr>
</tbody>
</table>

**Details of Neighbour Notification** (all addresses)
The Owner/Occupier, 1 Douglas Court, Ballyhackamore, Belfast, Down, BT4 3EH,
The Owner/Occupier, 1, 2, 3, 4 Dundela Drive, Ballyhackamore, Belfast, Down, BT4 3DL,
The Owner/Occupier, 16, 18, 25-45 Dundela Avenue, Ballyhackamore, Belfast, Down, BT4 3BQ,
Dundela Infants School, Wilgar Street, Ballyhackamore, Belfast, Down, BT4 3BL,
Flat 1 -30, Dundela Flats, 47 Dundela Avenue, Ballyhackamore, Belfast, Down, BT4 3BT,

<table>
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<tr>
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<th>10th April 2017</th>
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<tr>
<td>Date of EIA Determination</td>
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<td>ES Requested</td>
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**Planning History**

Ref ID: Z/2004/0133/O
Proposal: Site for residential development of 17 no. apartments
Address: Land within Wilgar Park, Wilgar Street, inc. nos. 1&2 Dundela Avenue, opposite nos. 25-45 Dundela Avenue, Belfast.
Decision: Decision Date: 30.04.2004

Ref ID: LA04/2016/2291/RM
Proposal: Reserve matters application for erection of 22 apartments across 3 blocks (4 storey buildings) with a new access to Dundela Avenue and associated site works including boundary wall and fence as per schedule 76 agreement.
Address: Former training ground for, Dundela Football Club, opposite from, 25-45 Dundela Avenue, Belfast,
Decision: Decision Date:

Ref ID: LA04/2016/2289/F
Proposal: Close the access at the corner of Dundela Crescent and Dundela Avenue as per approval Z/2014/0271 and moved to opposite the access of 39 Dundela Crescent.
Address: Dundela Football Club, Wilgar Park, Strandtown, Belfast, BT4 3BL,
Decision: Decision Date:

Ref ID: Z/2014/0135/F
Proposal: New artificial football pitch, 24 floodlights on 6 x 15m columns, 5 stands, perimeter fencing and associated ground works. New two-storey clubhouse incorporating bar, changing facilities, kickboxing club with community use area to replace existing single-storey building.

Address: Dundela FC Wilgar Street, Belfast, BT4 3BL,
Decision: PG
Decision Date: 05.01.2015

Ref ID: Z/2014/0271/F
Proposal: Housing development for 23 apartments across 5 blocks with a new access created to Dundela Avenue and all associated site works. (amended proposal)
Address: Former training ground for Dundela Football Club situated opposite from 25-45 Dundela Avenue, Belfast, BT4 3BQ,
Decision:
Decision Date:

**Drawing Numbers and Title**

Drawing No.01, 03B, 04A, 05A, 07, 08A, 09, 11, 14, 15
This page is intentionally left blank
Committee Meeting Date: 20 June 2017

Application ID: LA04/2016/2219/F

Proposal:
Refurbishment and alterations to primary school including 2 single storey rear extensions and 2 storey rear extension. Construction of double nursery school building, car parking, landscaping, fencing and siteworks.

Location:
Elmgrove Primary School (Avoniel Site) and Nursery Unit  Avoniel Road  Belfast  BT5 4SF and lands to the rear of Avoniel Road Leisure Centre  Avoniel Road

Referral Route: Planning Committee – Major Application and site includes lands owned by BCC

Recommenation: APPROVAL

Applicant Name and Address:
Education Authority Belfast Region
40 Academy Street
Belfast
BT1 2NQ

Agent Name and Address:
Todd Architects
2nd Floor
Titanic House
6 Queens Road
Belfast
BT3 9DT

Executive Summary:
The proposal is for refurbishment and alterations to the listed primary school including 2 single storey rear extensions and 2 storey rear extension. Construction of double nursery school building, car parking, landscaping, fencing and siteworks. The proposal will provide facilities for 681 pupils, and 112 staff.

The application site comprises an existing school campus at Avoniel Primary School which consists of a Listed building. The site also includes an area of land to the north of the site within the grounds of the Avoniel Leisure Centre.

The key issues in the assessment of the proposal are as follows:
- The principle/impact of alterations and development works on Listed Buildings
- Development/Loss of open space;
- Visual impacts of the proposal;
- Impact on amenity / character of the area;
- Impact on transport and other infrastructure;
- Flood risk from the proposal;
- Impact on natural heritage;

The extensions are mostly two storeys in height, with a separate detached single storey nursery building to be located to the south east to the front/side of the main building. In relation to design of the extensions and the nursery building, the proposed fenestrations are considered sympathetic to the listed building. Features of the Listed building will largely be retained and refurbished. HED have no objections to the proposals, which is a significant consideration, and
accordingly the application is considered compliant with PPS6, including BH8 AND 11.

The playground and space to the rear of Avoniel leisure Centre, given the poor condition/facilities of the school it is considered that the community benefit of refurbishment of a Listed Building, improved school facilities within the locality outweigh the retention of this space. In addition, the loss of the playground space is offset through the provision of a new facility to the south-east as part of the Connswater Greenway.

The proposal would result in built form being closer to adjacent residential buildings to the west of the site in Avoniel Road with a separation distance of approximately 23 metres. This is considered sufficient to mitigate amenity issues including overlooking and dominance issues. Adequate boundary treatment is proposed to mitigate disturbance.

Consultations
Environmental Health have concluded that the proposal would not detrimentally affect amenity through noise or light disturbance. Accordingly, the proposal is acceptable in relation to these issues.

Natural Heritage have no objections to the proposal and accordingly the proposal is compliant with this criteria and policies of PPS2. The landscaping proposed will contribute to townscape in the immediate locality.

Transport NI Rivers Agency and NIW have considered the proposal and have no objections.

No objections have been received from neighbours or elected representatives.

Recommendation
Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.
Rear Elevation

Avoniel Road Contextual Elevation:
Representations:

<table>
<thead>
<tr>
<th>Representations</th>
<th>Letters of Support</th>
<th>None Received</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Letters of Objection</td>
<td>None Received</td>
</tr>
<tr>
<td></td>
<td>Number of Support Petitions and signatures</td>
<td>No Petitions Received</td>
</tr>
<tr>
<td></td>
<td>Number of Petitions of Objection and signatures</td>
<td>No Petitions Received</td>
</tr>
<tr>
<td></td>
<td>Representations from Elected Representatives</td>
<td>Cllr Newton - support</td>
</tr>
</tbody>
</table>

1.0 Description of Proposed Development

Refurbishment and alterations to primary school including 2 single storey rear extensions and 2 storey rear extension. Construction of a new double nursery school building, car parking, landscaping, fencing and siteworks.

The proposal will provide facilities for 681 pupils, and 112 staff.

2.0 Description of Site

2.1 The application site comprises an existing school campus at Avoniel Primary School which consists of a Listed building, two storeys in height with hipped and pitched roof, with detached single storey canteen and two nursery school buildings within the grounds. To the front of the school, there is a large grassed area with hardstanding parking area adjacent to Avoniel Road. To the rear of the main school building, there is a courtyard area. Boundary treatments comprise a wall plinth and railings along the Avoniel Road frontage, with palisade fencing approx. 2m in height around the remainder of the site. The topography of the school grounds is generally level. There are a number of small groupings of mature trees around the periphery of the grassed area.

2.2 The site also includes an area of land to the north of the site within the grounds of the Avoniel Leisure Centre. This comprises a small playground area and single storey building in use as a nursery/playgroup facility.

2.3 The surrounding area is predominantly residential is terms of use - there are typical terraced dwellings opposite the site on Avoniel Road and to the south, Avoniel Leisure Centre to the North, and the Connswater Greenway abuts the site to the east.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

Z/2007/1793/F
Proposal: Erection of a temporary double unit nursery mobile and new access off Avoniel Drive
Address: Avoniel Primary School, Avoniel Road, Belfast, BT5 4SF
Decision: Approval
Decision Date: 29.11.2007

4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001
Draft Belfast Metropolitan Area Plan 2015
4.2 Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS); PPS2: Natural Heritage; PPS3: Roads Considerations; PPS8: Open Space, Sport and Recreation; PPS15: Planning and Flood Risk; Development Control Advice Note 15 Vehicular Access Standards

5.0 Statutory Consultee Responses
Transport NI – no objections; NI Water – no objections; Rivers Agency – no objections; Natural Heritage – no objections.

5.0 Non Statutory Consultee Responses
Environmental Health – no objections

7.0 Representations
7.1 The application has been neighbour notified and advertised in the local press. No representations have been received.

8.0 Other Material Considerations
None

9.0 Assessment

9.1 The key issues in the assessment of the proposal are as follows:
- The principle/impact of alterations and development works on Listed Buildings
- Development/Loss of open space;
- Visual impacts of the proposal;
- Impact on amenity / character of the area;
- Impact on transport and other infrastructure;
- Flood risk from the proposal;
- Impact on natural heritage;

Policy Considerations:

9.2 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 PPS3, 4 and 8 remain applicable under ‘transitional arrangements’.

9.3 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.

9.4 BMAP had been the development plan for the area following adoption in September 2014. However, the adoption process of this plan was subject to a successful legal challenge following judgement on 18 May 2017. However, the draft BMAP remains material and policies contained within are at an advanced stage and should be given
The BUAP is the current development plan for the area. Part 9 regulation 32 and associated Schedule of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 states:

‘during the transitional period a departmental development plan shall operate as the local development plan for the area for which it is made and shall be treated for the purposes of the 2011 Act and any other enactment relating to planning as being the local development plan for the area’.

- Part of the site is identified as open space, whilst the school lands are unzoned whiteland.
- Part of the site is identified as open space whilst the school lands are unzoned whiteland within draft BMAP. It identifies an area of archaeological potential within part of the site.
- PPS8 sets out regional policy for open space and recreation. OS1 refers to the protection of open space. This is relevant, as the proposal would result in an extended curtilage to the north to take in lands currently owned by the Council and comprising the development/loss of open space including a playground area and nursery/playgroup building at the rear of Avoniel Leisure Centre.
- PPS2 Natural Heritage is relevant to the proposal given the trees within the site. NH2 relates to protected species, whilst NH5 relates to habitats, species or features of natural heritage importance.
- PPS3 refers roads, access and parking considerations 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 AMP7, with design considerations set out at AMP9.
- There is no specific planning polices for education uses within BUAP, dBMAP, SPPS, or Planning Policy Statements.

Planning History:

There is no history of relevance to the current application.

Consideration

The principle of extensions and new school buildings;

The proposed site is located within an existing primary school complex. The proposal includes removal of existing single storey nursery school and canteen buildings and erection of extensions to the listed main primary school building with nursery school unit within the grounds. The extensions are mostly two storeys in height, with a separate detached single storey nursery building. The extensions are considered acceptable in principle subject to acceptable design details that would not comprise the historic assets of the listed building or compromise neighbouring amenity. The siting of the nursery building is considered acceptable in principle as it is located in a roughly similar location to an existing nursery school building, again subject to satisfactory details and not adversely affecting the setting of the listed building or amenity of neighbouring properties.

Loss of Open Space;

The playground and space to the rear of Avoniel leisure Centre would meet one of the
9.14 typologies of open space discussed in annex A of PPS8. OS1 of PPS8 refers to the protection of open space and in summary states that such space shall be retained unless certain exceptional circumstances can be demonstrated, including where there is substantial community benefits. Given the poor condition/facilities of the school it is considered that the community benefit of improved school facilities within the locality outweigh the retention of this space. In addition, the loss of the playground space is offset through the provision of a new facility to the south-east as part of the Connswater Greenway.

Visual impacts of the proposal/ character of the area;

9.15 The proposal replaces existing nursery school building with a new single building, mostly single storey in height located in the same position as the existing nursery school building. It is considered this building will have no greater visual impact on the locality than the existing building. In relation to the extensions, two of these are two storeys, whilst one is single storey. These extensions are visually subservient to the main school building and limited public views of these structures are available, restricted to partial views from the Greenway and the outside space of the Leisure Centre. There are hard-surfacing areas for play, circulation space, and car-parking. Boundary planting is proposed along the Avoniel frontage which will assist in mitigating the visual impacts of the proposed parking arrangements.

9.16 Whilst the majority of the site is level in terms of topography, retaining structures are necessary between the school building and Avoniel Leisure Centre along what would become the northern site boundary. Structures will vary in height from 1.3m to 1.85m approximately. Whilst such an approach is not generally an appropriate response in terms of visual amenity, the structures in this location are not significant in height and would be subject to limited public views. Accordingly, it is not considered that these structures will adversely affect visual amenity.

Built Heritage and Design

9.17 In relation to design of the extensions and the nursery building, the proposed fenestrations are considered sympathetic to the listed building, with greater solid than void emphasis. The proposed fenestrations and materials are considered acceptable. Features of the Listed building will largely be retained and refurbished. HED have no objections to the proposals, which is a significant consideration, and accordingly the application is considered compliant with PPS6, including BH8 AND 11.

Impact on amenity;

9.18 The proposal would result in built form being closer to adjacent residential buildings to the west of the site in Avoniel Road with a separation distance of approximately 23 metres. This is considered sufficient to mitigate amenity issues including overlooking and dominance.

9.19 Residential buildings are located to the south of the site. 12 parking spaces are proposed along/adjacent to this boundary. Adequate boundary treatment is proposed to mitigate disturbance.

9.20 In addition to the physical structures and the associated activity, Environmental Health have concluded that the proposal would not detrimentally affect amenity through noise or light disturbance. In addition, the extensive separation distances to residential properties will assist in mitigating disturbance in addition to the operating hours typical of a school facility. Accordingly, the proposal is acceptable in relation to these issues.
<table>
<thead>
<tr>
<th>9.21</th>
<th>Impact on Natural Heritage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The site is not located within a conservation area, area of townscape character. Natural Heritage have no objections to the proposal and accordingly the proposal is compliant with this criteria and policies HN2 AND NH 5 of PPS2.</td>
</tr>
<tr>
<td></td>
<td>In relation to landscaping and associated issues, the proposal includes landscaping mostly around the site periphery in addition to several grassed areas. Discussion with the departments’ Tree/landscape officer indicates that the details of planting proposed is acceptable in terms of species and specification. The landscaping proposed will contribute to townscape in the immediate locality. Conditions are necessary to ensure adequate implementation, management and replacement arrangements.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>9.23</th>
<th>Impact on transport and other infrastructure;</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Transport NI have considered the proposal and have no objections. Accordingly, the proposal is acceptable in terms of traffic, parking and access considerations and therefore in accordance with this criteria and relevant policy within PPS3.</td>
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<tr>
<th>9.24</th>
<th>Flood risk from the proposal;</th>
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<tbody>
<tr>
<td></td>
<td>The proposal will reduce the extent of hard surfacing throughout the site, whilst permeable green areas will increase in the proposed layout. It is not therefore considered that the proposal would impact or increase on flood risk.</td>
</tr>
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</table>

<table>
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<tr>
<th>9.25</th>
<th>No objections to the proposal have been received from third parties.</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.26</td>
<td>Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2016/0714/PAN) was submitted to the Council on 8th June 2016.</td>
</tr>
<tr>
<td>9.27</td>
<td>Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.</td>
</tr>
<tr>
<td>9.28</td>
<td>A Pre Application Community Consultation Report has been submitted in support of this application and is considered to meet the statutory requirements.</td>
</tr>
</tbody>
</table>

| 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. |

| Neighbour Notification Checked | Yes |

<table>
<thead>
<tr>
<th>Conditions</th>
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<tbody>
<tr>
<td>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</td>
</tr>
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</table>
2. No vents, extracts, or plumbing or pipes, other than rainwater pipes, shall be fixed on the external face of the building, unless shown on the approved drawings.

REASON: In the interests of visual amenity and to protect the architectural features of the Listed Building.

3. The development hereby permitted shall not commence until access has been provided in accordance with BCC stamped Drawing No 06A date stamped 24 May 2017.

Reason: To ensure adequate means of access in the interests of road safety and convenience of road users.

4. The development hereby permitted shall not become operational until parking has been provided in accordance with BCC stamped Drawing No 06A date stamped 24 May 2017.

Reason: To ensure the provision of adequate parking facilities in the interests of road safety and the convenience of road users.

5. The development hereby permitted shall operate in accordance with the approved Framework Travel Plan, Belfast Planning Service date stamped 30 September 2016.

Reason: To facilitate access to the site by means other than the private car and the servicing of the site in the interests of road safety and traffic progression.

6. The materials and construction method to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to the Planning Authority for written agreement prior to commencement of any development on the site. The materials shall match in material, colour and texture those used in the existing building except where indicated on the approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

7. All new internal works and finishes, and any works of making good, shall match the existing original fabric in respect of using materials of a matching form, composition and consistency, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved. Samples of all materials to be used shall be submitted to the Local Planning Authority for written agreement prior to commencement of works to that element of the development on the site.

Reason: In order that the architectural and historic interest of this Building is safeguarded and in the interest of visual amenity.

8. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition until a report detailing all protection measures for existing historic surfaces during the development has been submitted to and agreed in writing with the Local Planning Authority and verified by Historic Environment Division. All means of protection shall be retained in situ in accordance with the agreed details and for the duration of the development. The developer shall inform the Local Planning Authority on completing the installation of all protection measures so that the Local Planning Authority or their representative to agree such measures before allowing development to commence. Development shall not commence until these measures have been agreed by the Local Planning Authority in writing.

Reason: To ensure that adequate protection measures are put in place around listed building...
features prior to the commencement of development to ensure that features are not damaged or otherwise adversely affected by building operations.

9. No development shall commence until full details of mechanical, electrical and audio installations route ways and installations impacting the architecture and detail of the listed building have been submitted to and agreed with the Local Planning Authority and verified with Historic Environment Division. The development shall be completed in accordance with the agreed details and no variations to the agreed scheme shall be implemented prior to the agreement of the Local Planning Authority in writing.

REASON: To protect the architectural features of the Listed Building.

10. No development shall commence on site until full details (including details of noise attenuation) of ventilation and filtration equipment to suppress and disperse any fumes and/or smell created from the cooking operations on the premises have been submitted to and approved in writing by the Local Planning Authority. The development shall not become operational until the approved equipment has been completed in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In order to safeguard the amenities of the area in which the development is located.

11. Prior to the occupation of any part of the development hereby approved, boundary walls and fencing in association with each dwelling shall be erected in accordance with the approved plans and shall be permanently retained thereafter.

Reason: In the interest of privacy and amenity.

12. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Department. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: to ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

13. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department to observe the operations and to monitor the implementation of archaeological requirements.

Reason: to monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

14. No development shall take place until a strategy of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved strategy prior to any part of the development hereby permitted becomes operational.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal.
### ANNEX

<table>
<thead>
<tr>
<th>Date Valid</th>
<th>14th October 2016</th>
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</thead>
<tbody>
<tr>
<td>Date First Advertised</td>
<td>28th October 2016</td>
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<tr>
<td>Date Last Advertised</td>
<td>9th June 2017</td>
</tr>
</tbody>
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#### Details of Neighbour Notification (all addresses)
- 10 Avoniel Parade, Ballymacarret, Belfast, Down, BT5 4SH,
- 41 – 45, 100 - 185 Avoniel Road, Ballymacarret, Belfast, Down, BT5 4SG,
- 2- 8, 12 - 36 Avoniel Parade, Ballymacarret, Belfast, Down, BT5 4SH,
- 2, 25- 35, 56 - 58 Bloomfield Court, Ballyhackamore, Belfast, Down, BT5 5AL,
- 34 Avonorr Drive, Ballyhackamore, Belfast, Down, BT5 5AJ,
- 62 Mayflower Street, Ballymacarret, Belfast, Down, BT5 4SL,
- 63 - 65 Flora Street, Ballymacarret, Belfast, Down, BT5 4SN,
- 70 - 78 Avoniel Road, Ballymacarret, Belfast, Down, BT5 4SF,
- Avoniel Leisure Centre, Avoniel Road, Ballymacarret, Belfast, Down, BT5 4SF,
- Avoniel Nursery School, Avoniel Road, Ballymacarret, Belfast, Down, BT5 4SF,

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<td>Date of EIA Determination</td>
<td>11.11.2016</td>
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<tr>
<td>ES Requested</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Planning History

Ref ID: Z/2014/0780/A
Proposal: School Signs
Address: Avoniel Primary School, Avoniel Road, Belfast, BT5 4SF,
Decision: CG
Decision Date: 26.08.2014

Ref ID: Z/2014/0797/LBC
Proposal: Sign A - Title sign on school building 3000x1500x3mm aluminium composite flat panel sign with yellow text and graphics
Sign B - Reception sign on school building 1000x250x3mm aluminium composite flat panel sign with yellow text and graphics
Sign C - Entrance sign, single sided, pole mounted 2440x1400x3mm aluminium composite panel sign with yellow text and graphics. the sign will be erected using 2no 4600x76mm OD galvanised steel posts
Sign D - Nursery sign fixed onto the nursery building 2440x1220x3mm aluminium composite flat panel sign
Address: Avoniel Primary School, Avoniel Road, Belfast, BT5 4SF,
Decision: CG
Decision Date: 26.08.2014
Ref ID: Z/2007/0350/F
Proposal: Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Holywood Arches and installation of weir infrastructure at entrance to Victoria Park.
Address: Lands extending from Victoria Pk to Cregagh Glen inc. parts of Cregagh Rd, Castlereagh College, Loop River Pk, Castlereagh Rd, Beersbridge Rd, Newtownards Rd, Sydenham Bypass, & lands in between. Also inc. lands extending from Beersbridge Rd to C
Decision:
Decision Date: 26.07.2007

Ref ID: Z/2007/0899/A
Proposal: Banners along route of Community Greenway.
Address: Lands extending from Victoria Park to Cregagh Glen.
Decision:
Decision Date: 13.09.2007

Ref ID: Z/2008/0795/F
Proposal: Variation of conditions 5 and 6 of planning approval Z/2007/0350/F - Proposed Connswater community greenway (a linear park) following the course of the Connswater, Loop and Knock rivers. This includes walkways, pedestrian crossings and cycle ways; landscaping, and allotments; bio-remediation of the river including limited realignment, cross section re-profiling, riffles, cascades, attenuation pools and reed beds, several minor footbridges across the river and 3 No. landmark foot and cycle bridges; street furniture, lighting, cycle stands, interpretation boards and CCTV; fencing and gates; limited car parking to provide disabled access to greenway and rationalisation of car parking at Holywood Arches and installation of weir infrastructure at entrance to Victoria Park- an extension to the time period for the preparation of baseline surveys and an ecological management plan for the Connswater community greenway.
Address: Lands extending from Victoria Pk to Cregagh Glen inc. parts of Cregagh Rd, Castlereagh College, Loop River Pk, Castlereagh Rd, Beersbridge Rd, Newtownards Rd, Sydenham Bypass, & lands in between. Also inc. lands extending from Beersbridge Rd to C
Decision:
Decision Date: 28.10.2008

Ref ID: LA04/2016/1128/PAN
Proposal: New classroom extension and refurbishment of Elmgrove Primary School.
Address: Elmgrove Primary School, Avoniel Road, Belfast, BT3 9BT,
Decision: PANCON
Decision Date:
Ref ID: LA04/2016/0714/PAN
Proposal: New classroom extension and refurbishment of Avoniel listed Primary School to include three blocks perpendicular to the existing. A new replacement double classroom nursery building is situated in the south-east corner of the site. A new access onto Avoniel Road is proposed along with an amended car park and proposed internal road layout.
Address: Avoniel Road, located off Avoniel Road, Belfast, BT3 9BT with road access from Avoniel Road and Avoniel Drive.,
Decision: PANACC
Decision Date:

Ref ID: Z/2006/1142/LB
Proposal: Demolition of existing nursery school, kitchen, dining facility and assembly hall. Refurbishment of existing school including extensions, alterations and two storey classroom extension. Erection of detached nursery school with hard and soft play area, car parking, vehicular and pedestrian access.
Address: Avoniel Primary School, Avoniel Road, Belfast, BT5 4SE
Decision:
Decision Date: 12.03.2009

Ref ID: Z/2006/1141/O
Proposal: Refurbish and extend the existing school buildings following demolition of dining/kitchen, assembly hall and nursery unit. New nursery unit and hard and soft play areas plus new vehicular access and parking
Address: Avoniel Primary School, Avoniel Road, Belfast, BT5 4SF
Decision: Withdrawn
Decision Date: 12.03.2009

Ref ID: LA04/2015/0636/PAD
Proposal: New classroom extension and refurbishment of Elmgrove Primary School, Avoniel Road site, to include a two storey rear extension linked to rear of existing school building, glazed link to north side leading to new dining and multipurpose hall. Replacement double classroom nursery. New access and amended car parking, ancillary stores and landscaping. Temporary classroom accommodation.
Address: Avoniel Primary School, Avoniel Road, Belfast, BT5 4SF,
Decision:
Decision Date:

Ref ID: LA04/2016/0364/PAD
Proposal: New classroom extension and refurbishment of Avoniel Primary School.
Address: Avoniel Road, Belfast, BT5 4SF,
Decision:
Decision Date:
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<th>Drawing Numbers and Title</th>
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<th>Notification to Department (if relevant)</th>
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<td>Date of Notification to Department:</td>
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<td>Response of Department:</td>
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## Development Management Officer Report
### Committee Application

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<th><strong>Summary</strong></th>
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<tr>
<td><strong>Committee Meeting Date:</strong></td>
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<td><strong>Application ID:</strong></td>
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<td><strong>Proposal:</strong></td>
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<td><strong>Location:</strong></td>
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<td><strong>Referral Route:</strong></td>
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<td><strong>Recommendation:</strong></td>
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### Executive Summary:

Full planning permission is sought for the erection of temporary teaching accommodation (3 prefabricated buildings providing 6 classrooms), a temporary kitchen and dining hall building, security fencing and car parking with associated site works including demolition of existing school meals building.

The development is to facilitate the complete decant of Elmgrove Primary School, Avoniel Road site to allow the proposed refurbishment and extension to the school (LA04/2016/2219/F).

This temporary accommodation is required for a period of 3 years.

Historic Environment Division is content with the proposal subject to removal of the temporary structures. A time limit condition will ensure the adverse impact upon the historic and architectural character of the listed school buildings, their curtilage and setting shall be of the minimum practicable duration.

Having had regard to the development plan, relevant planning policies and other material considerations it is concluded that the proposal complies with the development plan, regional planning policy and other material considerations.

**Recommendation**
Approval for a temporary period with conditions.
Characteristics of the Site and Area

1.0 Description of Proposed Development
1.1 Full planning permission is sought for the erection of teaching accommodation – 3No temporary pre-fabricated teaching pods providing 6No classrooms. A temporary school meals kitchen and dining hall building, security fencing and car parking with associated site works including demolition of existing school meals building.
1.2 This application is associated with Listed Building Consent LA04/2016/2452/LBC.

2.0 Description of Site.
2.1 The site is located with Elmgrove Primary School complex located in east Belfast which is a Grade A listed building. Elmgrove Primary School is an accomplished example of one of
prominent architect R S Wilshere's schools in Arts & Crafts style. Two-storey redbrick school complex dating from 1933, it consists of two main blocks arranged around quadrangles and linked by a gabled assembly hall. The site is bounded by steel fencing and brick walls enclosing the school buildings, playground and small grassed areas. Part of the site falls outside the school enclosure within an area of the neighbouring industrial complex, this is an area of hard standing enclosed by steel fencing.

Planning Assessment of Policy and other Material Considerations

3.0 Planning History
3.1 LA04/2016/2452/LBC – Temporary teaching accommodation, temporary school meals kitchen and dining hall, security fencing and parking along with associated site works including demolition of existing school meals building. Accommodation comprises of 3No. temporary pre-fabricated teaching pods providing 6No. classrooms.

4.0 Policy Framework
4.1 Belfast Urban Area Plan 2001
Draft Belfast Metropolitan Area Plan 2015 – Designation BT 087 Avoniel Local Landscape Policy Area, BT 147 07 Community Greenway and BT 005 04 Existing Employment Castlereagh Road.
SPPS: Planning for Sustainable Development
PPS 4: Planning and Economic Development
PPS 6: Planning Archaeology and the Built Heritage

5.0 Statutory Consultee Responses
Transport NI – Further Information Requested
Northern Ireland Water – No objection subject to informatives

Non Statutory Consultees Responses
BCC Environmental Health (EHS) – Further Information Requested
Historic Environment Division – No objection subject to time limit condition

7.0 Representations
7.1 The application has been advertised in the local press and neighbour notifications issued. No representations received to date.

8.0 Other Material Considerations
None

9.0 Assessment
9.1 The main issues to be considered in this case are:
- Impact on the setting of the listed building;
- Loss of Open Space;
- Impact on Character and Amenity;
- Traffic and parking;
- Other Environmental Matters.

9.2 The proposal includes the demolition of the existing school meals building located in the eastern portion of the site to provide a new hard play area (960 square metres). A temporary school meals kitchen and dining hall building will be erected in the north western corner of the site on an area of hardstanding. It is proposed to locate the 3No
temporary pre-fabricated teaching pods in the north eastern portion of the site currently on a grassed area. A total of 375sqm of existing hard standing is designated for the temporary car parking spaces. New boundary treatment of 2.2m high plastic coated paladin fencing is proposed to enclose the car parking area; a pedestrian accessed ramp is proposed to allow access from car park to school buildings.

9.3 The SPPS sets out five core planning principles of the planning system, including improving health and wellbeing, creating and enhancing shared space, and supporting good design and place making.

Impact on the setting of the Listed Building

9.4 It is generally accepted that modular buildings, especially within the setting of a listed building are not an ideal design solution given the site’s existing character. Policy BH 11 of PPS 6 states that development will not normally be permitted which would adversely affect the setting of a listed building. Three key criteria must be met for development to be considered acceptable. The detail design respects the listed building in terms of scale, massing etc.; the works make use of traditional or sympathetic materials that respect the listed building and the nature of the proposed use respects the character of the setting of the listed building.

9.5 It is considered that the proposed modular buildings will have a sympathetic scale and massing to the listed building and the proposed use respects the character of the site, i.e. educational use. The proposed modular buildings do not make use of materials and techniques that respects the listed building and therefore fails to meet this criterion. However, Historic Environment Division is content with the proposal subject to removal of the temporary structures. A time limit condition will ensure the adverse impact upon the historic and architectural character of the listed school buildings, their curtilage and setting shall be of the minimum practicable duration.

Loss of Open Space

9.6 The proposed modular buildings will result in a reduction of space within the school grounds but ample space will remain for normal school activities. The proposed kitchen/canteen will result in the loss of an area of hard-standing and the classrooms will be situated within a soft landscaped area. Policy OS 1 of PPS 8 advises that development that would result in the loss of existing open space should not be permitted, the site is located within an LLPA an area of protected open space in draft BMAP. The policy advises that an exemption will be permitted where it is clearly shown that there would be substantial community benefits. If is considered, in this case, that the temporary provision of school buildings is a significant community benefit and the development will be for a time limited period preventing the permanent loss of open space land within this LLPA. The site is zoned as whiteland within BUAP.

9.7 The use of modular buildings for temporary extra space within a school is an established practice within the city and further afield. The temporary use in this case, generated by a school merger programme, is considered acceptable.

Impact on Character and Amenity

9.8 The buildings being located within the grounds of the school and the use for school activities ensures that there will be no negative impact on the character of the surrounding area which is made up of both residential and commercial units.

Impact on the neighbouring amenity likewise will not be overly impacted upon, the modular
classrooms will be at the furthest point in site from the nearest neighbour residential dwelling. The kitchen building however, will be located next to a boundary with a residential dwelling. At this point the boundary is defined by a 2.0m high brick wall which separates the dwelling’s driveway from the school. The living room window of this dwelling is at the furthest point from the boundary and the modular building is to be located to the east of the dwelling. Having taken all these points into consideration and, the temporary period the building will be on site it is considered that any impact will be at an acceptable level.

Loss of Employment Land

PPS 4 requires at policy PED 7 that development that would result in the loss of land zoned for economic development to other uses. A section of the site is allocated for a new access and parking for the school which is zoned as an existing employment area in draft BMAP. The site is zoned as whiteland within BUAP. It is considered that the proposal will not result in the loss of any significant land zoned for employment (375 square metres in total). The section of site in question is a wedge of land between existing commercial buildings and a stream. Part of the site is already in use for car parking and the remainder vacant ground. The proposal will use this section of ground to provide an access and parking facilities for the school for a temporary period. For the above reasons it is considered that on balance the proposal will not result in the permanent loss of land zoned for existing economic development given the temporary nature of the proposal.

Traffic Movement & Parking

The car parking spaces will be accessed from Grove Street East via the existing industrial yard. The proposal will provide 104 spaces five of which will be dedicated for disabled parking. Transport NI has verbally offered no objection to the proposal. However, final comments have not been received at the time of finalising this report. It is therefore proposed to put the final condition forward as a late item or to delegate the final wording of the conditions to the Director of Planning and Place post committee.

Other Environmental Matters

Environmental Services Department has verbally offered no objection to the proposal. However, final comments have not been received at the time of finalising this report. It is therefore proposed to put the final condition forward as a late item or to delegate the final wording of the conditions to the Director of Planning and Place post committee.

Summary of Recommendation: Approval

Having had regard to the statutory and draft development plan, relevant planning policies and other material considerations it is concluded that the proposal complies with the development plan, regional planning policy and other material considerations. It is recommended that the application is approved subject to conditions.

Conditions

- 3 year time limit condition
- Land restore back to former use following 3 year period
- Boundary Fence and Gate Details
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<tr>
<td>11.4</td>
<td>Final Transport NI Conditions to be added as per Paragraph 9.10</td>
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<tr>
<td>11.5</td>
<td>Final Environmental Health Conditions to be added as per Paragraph 9.11</td>
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## ANNEX

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<th>Details of Neighbour Notification (all addresses)</th>
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<tbody>
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<tr>
<td>1 Flora Street, Ballymacarret, Belfast, Down, BT5 4SN,</td>
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<td>1,299 Beersbridge Road, Ballyhackamore, Belfast, Down, BT5 5DS,</td>
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<td>18 Fashoda Street, Ballymacarret, Belfast, Down, BT5 5GW,</td>
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<td>2 Elm Grove Road, Ballyhackamore, Ballyhackamore, Belfast, Down, BT5 5DJ,</td>
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<td>31 - 45 Abetta Parade, Ballyhackamore, Belfast, Down, BT5 5EH,</td>
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Date of Last Neighbour Notification | 6th June 2017
--- | ---
Date of EIA Determination | N/A
ES Requested | N/A

**Drawing Numbers and Title**

01 – Site Location Plan
02A – Site Location Plan
03 – Temporary Dining Hall Plan, Sections, Elevations
04 – Temporary Classroom Unit 1 Prefab, Plans, Sections, Elevations
05 – Classroom Unit 2 & 3 Prefab, Plans, Sections, Elevations
06 – Decant Site Plan – Complete Site
07 – Boundary Fence and Gate Details
08 – Decant Site Ramp

**Notification to Department (if relevant)**

Date of Notification to Department: N/A
Response of Department: N/A
## Executive Summary:
The application seeks full planning permission for the development of a 3G sports pitch with associated security fencing and floodlighting.

The main issues to be considered in this case are:
- The principle of development
- Design
- Noise
- Flooding

The site is located within an existing school complex at Malone College in South Belfast. The school grounds are considered as open space as defined in Annex 8 of PPS 8. The proposal will replace the existing sports field with an all-weather pitch, the site is already established as a recreational area and thus the principle of development is considered acceptable. The floodlighting and associated development are considered acceptable in this location. The scheme is not out of character with the area and there will be no adverse detrimental impacts on amenity.

Statutory and non-statutory consultees have offered no objections subject to the conditions outlined below. All objector’s issues have been considered. Approval is recommended.

Having had regard to the development plan, relevant planning policies, histories and other material considerations, it is determined that the proposal should be approved subject to conditions.
Case Officer Report

Site Location Plan

Characteristics of the Site and Area

1.0 Description of Proposed Development
Planning permission is sought for the development of a 3G sports pitch with associated security fencing and floodlighting.

2.0 Description of Site
The site is located within an existing school complex at Malone College in south Belfast. It is accessed via Finaghy Road North and is approximately 6.43 hectares in size. The proposal is sited in the northern section of site and contains an area of open space currently used as a playing field, it is bounded by large mature trees along the North eastern boundary, car park to the south east and school building to the north west. The access road runs along the south western boundary, this is framed with mature hedges and trees with housing to the rear. Musgrave Hospital is adjacent to the north and the railway line to the south.

Planning Assessment of Policy and other Material Considerations

3.0 Site History
3.1 Z/2013/0546/F - Changing pavilion and new 3G all weather pitch with associated perimeter and ballstop fencing and floodlighting. Approved 29.01.2014.

4.0 Policy Framework
4.1 Regional Development Strategy (RDS);
Strategic Planning Policy Statement (SPPS)
Belfast Urban Area Plan 2001
Belfast Metropolitan Area Plan (2015) (draft)
Planning Policy Statement 3 – Parking, Access and Movement Strategic Planning
<table>
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<th>Planning Policy Statement 8 (PPS8)- Open Space, Sport and Outdoor</th>
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<tr>
<td><strong>5.0 Statutory Consultees Responses</strong></td>
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| **5.1** | NI Water – no objection  
Transport NI – no objection  
Rivers Agency – additional info requested |
| **6.0 Non Statutory Consultees Responses** |
| **6.1** | Environmental Health – no objection with conditions |
| **7.0 Representations** |
| **7.1** | Three objections |
| **8.0 Other Material Considerations** |
| **8.1** | N/A |
| **9.0 Assessment** |
| **9.1** | The main issues to be considered are:  
- The principle of development  
- Design  
- Noise  
- Flooding |
| **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 consideration indicate otherwise. |
| **9.3** | The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration. The proposed development lies adjacent to a designated area of existing open space as outlined in the draft development plan. |
| **Principle of Development** |
| **9.4** | The proposal is for provision of a new multi-use 3G sports pitch surrounded by 5m high paladin ball stop fencing. Six floodlighting columns are also proposed measuring 13.5m high. |
| **9.5** | The proposal has been assessed against Policy OS5 and OS7 of Planning Policy Statement 8. The school grounds are considered as open space as defined in Annex 8 of PPS 8. The proposal will replace the existing sports field with two 3G pitches, the site is already established as a recreational area and thus the principle of development is considered acceptable. The proposal will not result in a loss of open space and will not adversely affect the character of the area. |
| **Design** |
| **9.6** | The proposed development will create two 3G playing areas each measuring 60m x 32m, illuminated by six 13.5m high floodlights, with maximum illuminance level of 212 lux with the ability to be reduced to 105 lux for training events. The lighting columns will be mounted at each corner of the pitches and at the centre lines. The four located at the...
corners will be fitted with narrow beam lamps, the two at the centre lines will be wide beam lamps.

9.7 Policy OS 7 of PPS8 refers to floodlighting. Permission will only be granted where there is no unacceptable impact on the amenity of neighbouring residents, on visual amenity and character of the locality and where public safety is not prejudiced. The site is bounded to the south west by residential dwellings located along Orchardville Crescent. The properties are separated from the site by 2m high timber fence and mature hedges/trees with a separation distance of approximately 40 m from the lighting structure to the nearest dwelling. A floodlighting scheme was submitted detailing the frequency and hours of illumination. It is proposed that the lights will be operational between 15.00-22.00hrs during week days and 18.00hrs at the weekend from September to June. The light is also orientated away from the properties with the angle of beams (approximately 60 degrees) facing directly towards the sports facilities. This will reduce glare to the spectators and surrounding areas. Cows will also be added to the floodlights to reduce light spill. The lighting report also includes information to illustrate that the vertical illuminance at 3m above ground (3 lux) is within the pre-curfew guidelines and as such will not have a detrimental impact on residential amenity. Environmental Health were consulted on the application and have no objections subject to conditions outlined below. Given the separation distance, the boundary treatment and the control measures on the lighting columns it is considered that the proposal will not have a detrimental impact on residential amenity.

9.8 There is no adverse impact on the visual amenity or character of the locality – the immediate area is predominately recreational in character and consists of a number of school buildings and open space. The lighting will be contained within an existing school complex and will only be partially visible from a number of properties located at Orchardville Crescent. It is therefore considered unlikely that the proposal will have an adverse impact on visual amenity or alter the character of the locality.

9.9 Public safety is not prejudiced – the application site is located off the main road in an enclosed site, it will not cause a distraction or impact on public safety by means of glare from excessively bright or poorly aimed floodlighting nor will it cause dazzle and implications for transport users and pedestrians. The proposal has been assessed against Planning Policy Statement 3. Transport NI were consulted on the application and have no objection subject to conditions detailed below.

**Noise**

9.10 Environmental Health note the proximity of the site to residential dwellings and have concerns that the proposal has the potential to adversely affect the amenity of the residents due to noise. As such a noise assessment was submitted which addressed the concerns of Environmental Health subject to conditions outlined below.

9.11 Policy OS5 of PPS 8 relates to noise generating sports and outdoor recreational activities. The proposal will not cause an unacceptable level of disturbance to nearby residents or noise sensitive uses and as such complies with policy.

**Flooding**

9.12 The proposal has been considered against Policy FLD 1 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’. Rivers Agency confirmed that a small part of the south west boundary is located within a predicted flooded area and as such a drainage assessment was requested. This information has been submitted and a response is due from Rivers Agency. The Drainage assessment has stated that the site is not affected by coastal flooding nor are there any historical records of flooding on the site. It is proposed to install a new storm drainage system to serve the proposal which
will discharge runoff to the watercourse to the south-west of the site. A Schedule 6 application to discharge to the watercourse has been issued to Rivers Agency. In the absence of a response the final wording of conditions shall be delegated to the director of Planning and Place.

**Objections**

Three objections were received from residents at 88 and 90 Orchardville Crescent, all issues considered below

- **Lack of consultation** – Belfast City Council carried out statutory neighbour notification and advertisement in the local papers. A pre application community consultation report was submitted detailing information on public consultation including leaflet drop and details of two public meetings
- **Proximity to residential dwellings** – it is considered a separation distance of approximately 40m to the nearest dwelling is acceptable given the mature boundary treatment and the restricted hours of use
- **Visual amenity** – given the separation distance and boundary treatments it is considered that the proposed pitches will not have a detrimental impact on visual amenity
- **Potential end users** – whilst not a material consideration, the applicant has confirmed that the pitches are primarily being funded by the school for the school however they cannot confirm this will always be the case.
- **Noise** – environmental health have confirmed that the proposal will not have a detrimental impact on neighbouring residents subject to conditions
- **Proliferation of 3G Pitches** – this is not a material planning consideration
- **Impact on traffic/parking** – transport NI were consulted on the application and have no objection to the proposal, there is ample parking on site to accommodate the potential increased vehicle usage.

**Summary of Recommendation:** Approval

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.

The proposed 3G pitches, floodlighting and associated development are considered acceptable in this location. The scheme is not out of character with the area and there will be no detrimental impact on amenity. Statutory and non-statutory consultees have offered no objections subject to the conditions outlined below. All objectors’ issues have been considered. Approval is recommended.

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   **Reason:** As required by Section 61 of the Planning Act (Northern Ireland) 2011.


   **Reason:** In the interests of visual amenity, road safety and the convenience of road users.

3. The pitches shall only be used between 8am and 10pm Monday to Friday, and
8:00am and 18:00 pm Saturday and Sunday.

Reason: Protection of residential amenity.

4. Prior to commencement of the proposal a lighting scheme shall be installed as per the Delap and Waller Ltd lighting report titled “Malone Integrated College, floodlighting scheme for Muga Pitches-Belfast” and stamped drawing no 02

Reason: Protection of residential amenity.

5. Prior to the operation of the development, an Artificial Light Verification report shall be submitted to Belfast City Council for review and approval. The report shall verify that all artificial floodlighting connected with the development has been measured and confirmed to be within the vertical illuminance (Lux) levels for Environmental Zone 3 at the habitable room windows of the nearest residential properties as stipulated in the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light GN0L:2011.

Reason: Protection of residential amenity.

6. The floodlights shall not be used between 10pm and 8am.

Reason: Protection of residential amenity.

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<th>Notification to Department (if relevant)</th>
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## ANNEX

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<td>Ref ID: Z/2014/1656/F</td>
<td>Proposal: Amendment to original approval Z/2009/1234/F for multipurpose sports hall and toilets and changing areas to include alterations, additional floor space (21sqm) and alterations to elevations.</td>
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<td>Address: 45 Finaghy Road North, Finaghy, Belfast, BT10 0JB,</td>
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<td>Ref ID: LA04/2016/0580/PAN</td>
<td>Proposal: Development of a new sports hall, changing facilities and associated car parking at Malone Integrated College</td>
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<td>Ref ID: LA04/2016/0669/PAN</td>
<td>Proposal: Development of a 3G sports pitch surrounding security fence and floodlighting.</td>
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Proposal: Sports hall, changing facilities and associated car parking  
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Decision:  
Decision Date: 

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<tr>
<td>01</td>
<td>site location plan</td>
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<tr>
<td>02</td>
<td>proposed site layout</td>
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<tr>
<td>03</td>
<td>Block plan</td>
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<tr>
<td>04</td>
<td>proposed elevations</td>
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## Development Management Officer Report

### Committee Application

<table>
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<th>Summary</th>
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<tr>
<td><strong>Committee Meeting Date:</strong> 20(^{th}) June 2017</td>
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<tr>
<td><strong>Application ID:</strong> LA04/2016/0549/F</td>
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<tr>
<td><strong>Proposal:</strong> Proposed erection of 70 No. semi-detached and townhouse dwellings with associated site works, roads, car parking and landscaping/open space provision</td>
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<td><strong>Location:</strong> Lands at Benview Avenue and Benview Parade to the South of Buttermilk Loney, Ballysillan, Belfast</td>
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<tr>
<td><strong>Referral Route:</strong> BCC Planning Committee – more than 12 dwellings</td>
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<tr>
<td><strong>Recommendation:</strong> Approval with conditions and Section 76 Agreement</td>
</tr>
<tr>
<td><strong>Applicant Name and Address:</strong> Latner 10 Developments Ltd, 89 Broughshane Street, Ballymena, BT43 6ED</td>
</tr>
<tr>
<td><strong>Agent Name and Address:</strong> TSA Planning Ltd, 29 Linenhall Street, Belfast, BT2 8AB</td>
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### Executive Summary:

Full planning permission is sought for the erection of 70 No. semi-detached and townhouse dwellings with associated site works, roads, car parking and landscaping/open space provision.

The application site is located in the north of Belfast City at Benview Avenue approximately 3.5 miles north of Belfast City Centre. The site comprises approximately 2.33 hectares of land, is a brownfield site now clear of its former housing use, however, parts of the old road layout remain in place.

The main issues to be considered in this case are:

- Principle of redevelopment and residential use at this location;
- Scale & Design;
- Impact on amenity;
- Traffic, Movement and Parking
- Other Environmental Matters

The site is located within an existing established residential area. The surrounding character of the area is defined primarily two storey semi-detached dwellings. The layout of the scheme has been informed by the character of the area and topography of the site. The proposal introduces a mix of detached (2No), semi-detached (52No) and terrace (16No) domestic dwellings at this location with incourtage on on-street parking provision.

The provision of living accommodation is as follows:

- 66 no. 5 person 3 bedroom dwellings
- 4 no. 3 person 2 bedroom dwellings

The density and materials proposed for the housing comprise brick, render and concrete roof tiling and are comparable to the surrounding environment.

No representations have been received on the proposal.
On balance, having had regard to the development plan, relevant planning policies and other material considerations including planning history it is concluded that the proposal complies with the development plan, regional planning policy and other material considerations.

**Recommendation**
Approval with conditions as set out in the case officer report and subject to the completion of an Agreement under Section 76 of the Planning Act (NI) 2011 in respect of development contributions (see paragraph 9.18).

If members are minded to approve the application it is also requested that authority is delegated to the Director of Planning and Place, on behalf of the Council in consultation with Legal Services, to agree the terms and enter into a Section 76 Agreements.
 Characteristics of the Site and Area

1.0   Description of Proposed Development
1.1   Full planning permission is sought for the erection of 70 No. semi-detached and townhouse dwellings with associated site works, roads, car parking and landscaping/open space provision.
### 2.0 Description of Site.

2.1 The site is an area of open space that was previously developed for housing, the site has been cleared of the previous housing but road and footpaths features remain. The site is mostly grassed, the topography slopes from north east to south west i.e. the site falls from Ballysillan Avenue to Benview Parade. The site is surrounded on three sides by two storey domestic housing on common plot sizes, the fourth side of the site open onto a community centre.

### Planning Assessment of Policy and other Material Considerations

#### 3.0 Planning History

- Z/2008/0949/F - Construction of 96 housing units - 1 detached, 14 semi-detached, 45 townhouses, 36 apartments and associated site works – Benview Avenue and Benview Parade – Planning Permission Granted 6.01.11
- Z/2006/1371/O – Construction of 111 housing units, consisting of apartments, townhouses, semi-detached and detached dwellings – Benview Avenue and Benview Parade – Planning Permission Granted 28.03.07

#### 4.0 Policy Framework included

- Belfast Urban Area Plan 2001
- Draft Belfast Metropolitan Area Plan 2015
- SPPS – Planning for Sustainable Development
- PPS 3 – Access, Movement and Parking
- PPS7 – Quality Residential Environments
- PPS8 – Open Space, Sport and Outdoor Recreation
- PPS 12 – Housing in Settlements
- PPS 13 – Transportation and Land Use
- PPS15 (Revised) – Planning and Flood Risk

#### 5.0 Statutory Consultee Responses

- Transport NI – Verbally confirmed no objection with conditions
- NI Water Ltd– No objection standard conditions
- Rivers Agency – No objection with informatives

#### 6.0 Non Statutory Consultees Responses

- Environmental Health Services – No objection with informative
- NIEA – No objection with conditions

#### 7.0 Representations

- Following advertisement in the local press and neighbour notification no letters of objection have been received on the proposal.
- One letter of support from Local MP Mr Nigel Dodds OBE was received he advised that the development will be much welcome in this area of high housing demand.

#### 8.0 Other Material Considerations

- Regional Development Strategy (RDS) 2035
- Creating Places – Achieving Quality in Residential Developments
- DCAN 8 – Housing in Urban Areas
- DCAN 15 – Vehicular Access Standards
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<tr>
<th>9.0</th>
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<td>9.1</td>
<td>The main issues to be considered in this case are:</td>
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<td>- Principle of redevelopment and residential use at this location;</td>
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<td>- Scale &amp; Design;</td>
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<td>- Impact on amenity;</td>
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<td>- Traffic, Movement and Parking</td>
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<tr>
<td></td>
<td>- Other Environmental Matters</td>
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</table>

**Principle of Redevelopment and Residential Use at this Location**

9.2 The site is located within the development limits of Belfast and is identified as whiteland in the statutory development plan BUAP and within the draft Belfast Metropolitan Area Plan 2015. The site was formerly occupied by a social housing development which fell into disrepair and was subsequently demolished. Infrastructure relating to the demolished scheme remains in the form of an existing road and pathway accessed through Benview Park which remains adopted by Transport NI.

9.3 The principle of residential development has already been established given the planning history on the site for residential development (see Section 3.0).

9.4 Given the site’s former use and planning history on the site it is considered that the redevelopment of this brownfield site for residential use is acceptable subject to planning and environmental matters.

**Scale & Design**

Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet and will be considered throughout the report.

9.6 In relation to the character of the surrounding area criterion (a) states that the development must respect the surrounding context and be appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings, structures and landscaped and hard surfaced areas.

9.7 The site is located within an existing established residential area. The surrounding character of the area is defined primarily two storey semi-detached dwellings. The layout of the scheme has been informed by the character of the area and topography of the site. The proposal introduces a mix of detached (2No), semi-detached (52No) and terrace (16No) domestic dwellings at this location with incurtile on on-street parking provision. The density and materials proposed for the housing comprise brick, render and concrete roof tiling and are comparable to the surrounding environment.

9.8 It is considered that the proposed development will complement the existing character being of a similar design and density and be reflective of the surrounding area. It is considered that the proposal complies with criterion (a) and (g).

9.9 In terms of impact on archaeological, built heritage and landscape features. The site contains no significant vegetation or known heritage. Given its previous residential use and
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<tr>
<td>9.10</td>
<td>The proposal includes open space provision of approximately 0.17 hectares which equates to approximately 7.6% of the overall site area. This is below the recommended 10% provision detailed in Policy OS 2 of PPS 8. Each dwelling has private amenity space which complies with recommended guidance requirements. The site is also adjacent to Benview Community Centre which has provision of an outdoor playground. It is considered that the location of the open space provision centrally and through the site will break up the built form and provide sufficient open space throughout the site. Planting is also proposed throughout the site and along site boundaries in order to soften the visual impact of the development and assist with integration. In particular along the garden boundary with residential properties on Ballysillan Avenue. If committee is minded to approve landscaping proposals are recommended as a condition. It is considered that the proposal complies with criterion (c) of Policy OD 1 of PPS 7.</td>
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<tr>
<td>9.11</td>
<td>In terms of criterion (d) there are local neighbourhood facilities in the area.</td>
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<td>9.12</td>
<td>With regards to impact on residential amenity, criterion (h) of QD 1 of PPS 7 requires there to be no unacceptable adverse effect on existing properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance. The development is for the construction of two storey residential dwellings in an area that is characterised by similar development. The proposed dwellings are to be located at a distance that generally provides 20 m separation distances between the new and existing properties which is considered to be a reasonable space. Given the distances between the properties, the heights of the proposed dwellings it is considered that overlooking, loss of light etc. will not be so significant that would impinge on the existing properties to an unacceptable level. It is therefore considered that the proposal satisfies criterion (h).</td>
</tr>
<tr>
<td>9.13</td>
<td>The proposal has been assessed against PPS 7, Policy AMP 7 of PPS 3: Access, Movement and Parking and PPS 13: Transportation and Land Use. The parking provision is considered to be compatible with policy requirements. The detached and semi-detached dwellings having two in curtilage parking spaces and the terrace rows have on street layby parking provision. Transport NI verbally advised that they considered the proposal for parking provision and road layout to be acceptable. Access to the site will utilise the existing access of Benview Park and by opening an access onto the Buttermilk Loney cul-de-sac. However, final comments have not been received at the time of finalising this report. It is therefore proposed to put the final condition forward as a late item or to delegate the final wording of the conditions to the Director of Planning and Place post committee.</td>
</tr>
<tr>
<td>9.14</td>
<td>Paragraph 4.11 and 4.12 of the SPPS states there are a wide range of environmental and amenity considerations including noise and air quality, which should be taken into account by planning authorities when proposing policies or managing development. Other amenity considerations include sewerage, drainage, waste management and water quality.</td>
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</table>
**Flood Risk and Drainage**

9.14 Overall Rivers Agency raised no objection to the proposal subject to informatives. Northern Ireland Water Ltd has been consulted on the proposal and confirmed that the waste water treatment work (WWTW) has available capacity to accept the additional load.

9.15 Having had regard to the above it is considered that the proposal would not have a significant impact on flood risk, drainage and the sewerage system. The proposed scheme is therefore considered acceptable in accordance with Policy FLD 3 of PPS 15 and the SPPS with respect to flood risk, drainage and sewerage capacity.

**Contaminated Land**

9.16 Preliminary and Generic Quantitative Risk Assessments were submitted in support of the application. No unacceptable risks to the water environment were identified. Waste Management (NIEA) and Environmental Protection (BCC) raised no objection to the proposal subject to conditions and informatives.

**Community Consultation**

9.17 The proposal is for a major housing development consisting of 70 dwelling units. The applicant was therefore required to follow a community consultation process in accordance with Section 27 of the 2011 Planning Act. Two consultation processes were held in the neighbouring Benview Community Centre the first, which was advertised in the Belfast Newsletter, took place on the 18th November 2015 the second on the 20th January 2016. The local MP, MLAs, Council Members and local residents groups were invited to the events. The report concludes that there was a high level of community support for the development of affordable housing.

**Developer Contributions**

9.18 In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement to transfer the proposed area of open space in the north eastern corner of the site to Benview Community Centre. The developer has expressed a willingness and commitment to provide this in a legal agreement.

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<tr>
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<tr>
<td>10.1</td>
<td>The above matters are considered to be the main planning issues. All other matters raised by consultees have been assessed and are not considered to outweigh the conclusion that on balance, the proposal is considered to comply with relevant planning policy and would constitute an acceptable sustainable development at this location. This proposal would lead to the delivery of new homes and deliver the regeneration of this brownfield site.</td>
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<td>Construction Management Plan</td>
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83 Ballysillan Avenue, Old Park, Belfast, Antrim, BT14 8HY,
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Ferguson Park, 80 Ballysillan Park, Old Park, Belfast, Antrim, BT14 8HD,
Nigel Dodds OBE

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<td>01 – Site Location Plan</td>
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<tr>
<td>03b – Proposed Site Plan</td>
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<tr>
<td>04a – Proposed Site Sections</td>
</tr>
<tr>
<td>05a – Proposed House Type A</td>
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<td>06a – Proposed House Type A1</td>
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<td>07 – Proposed House Type B</td>
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<td>08 – Proposed House Types C &amp; D</td>
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<td>09 – Proposed House Type E Plans, Sections, Elevations</td>
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<td>14b – Landscape Proposals</td>
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<tr>
<td>18a – Drainage Layout</td>
</tr>
<tr>
<td>19a – Proposed House Types J &amp; K</td>
</tr>
<tr>
<td>20 – Proposed Street Elevation Plot 19-21</td>
</tr>
<tr>
<td>Notification to Department (if relevant)</td>
</tr>
<tr>
<td>-----------------------------------------</td>
</tr>
<tr>
<td>Date of Notification to Department: N/A</td>
</tr>
<tr>
<td>Response of Department: N/A</td>
</tr>
</tbody>
</table>

**Representations from Elected Representatives:**
One letter of support from Local MP Mr Nigel Dodds OBE was received he advised that the development will be much welcome in this area of high housing demand.
Development Management Officer Report
Committee Application

Summary

Committee Meeting Date: 20 June 2017
Application ID: LA04/2015/0152/F

Proposal:
Proposed demolition of existing buildings to make way for a mix of 43no. terraced dwellings, 19no. apartments, 2 semi-detached and 1 detached dwelling with a play area and open public space (64 units in total).

Location:
17c Station View
Dunmurry BT170AE

Referral Route: Major Application > 50 residential units

Recommendation: Approval

Executive Summary:
The application seeks full planning permission for demolition of existing buildings to make way for a mix of 43 terraced dwellings and 19 apartments with play areas and open public space (62 units in total).

The main issues to be considered in this case are:
- The acceptability of redeveloping the site.
- Scale and Design;
- Traffic and Parking
- Contaminated Land
- Impact on Residential Amenity
- Open Space Provision

A total of 30 letters of objection have been received, with one letter of support. Main issues raised include: Design, loss of light and impact on private amenity, traffic and parking / pedestrian safety; Housing meeting an identifiable or perceived demand; impact on trees.

The site is located within the settlement limits of Belfast and on whiteland within the Belfast Urban Area Plan. The majority of the site was within a proposed Area of Existing Employment zoning in the Draft Belfast Metropolitan Area Plan with the front Part of the site located in a proposed Area of Townscape Character. Under the unadopted BMAP the site was located within an uncommitted housing zoning ML 04/05. The small stretch of the site frontage which abuts Upper Dunmurry Lane was located within an Area of Townscape Character.

Therefore, the subsequent zoning for housing on this site was in acknowledgement that the principle for housing use had been established under a granted planning application in February 2012 under S/2006/1391/O - Redevelopment of existing light industrial lands for residential use - 142 units in total. Whilst this is not determining, it can be concluded that had the plan been adopted the site would have attained this status. Therefore, together with the planning history and the advanced stage of dBMAP it is a significant material consideration in this case.
The scale, density and design is considered acceptable and generally reflects the established character of the area. In terms of the layout, considerable work has been undertaken with the agent to achieve a layout which results in limited impact to existing and prospective residents. The open space provided within the scheme is standard.

**Consultation**

NIWater, NIEA and Belfast City Council’s Environmental Protection Unit have offered no objections to the proposal in principle and standard conditions are to be applied.

TransportNI have raised no issues of principle to date and whilst their recent consultation are outstanding, however given the car and cycle parking provision, and also the proximity to Dunmurry train halt, the wider public transport network and local amenities should ensure that any relaxation in terms of parking should not be an issue.

In light of an outstanding consultation response from TransportNI it is requested that the Director of Planning and Place is authorised to draft any necessary amendments to/ additional conditions in respect of the proposal.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is recommended that the proposal should be approved subject to conditions.
Characteristics of the Site and rea

1.0 Description of Proposed Development
Full application for demolition of existing buildings to make way for a mix of 43no. 2 and 3 bed terraced housing and 19no. 2 bed apartments with play areas and open public space (62 units in total).

2.0 Description of Site
Brownfield site, previously used as industrial land. A number of the original buildings still on site, used for a range of purposes. The red bricked buildings range in height from commercial high single storey buildings to substantial four storey buildings in the NW corner of the site. The buildings are interspersed throughout the site with two enclosed yards, one towards the south-west corner and one towards the north-west corner. A car park is located in the north-east part of the site, behind the existing dwellings in Barbour Gardens.

Planning Assessment of Policy and other Material Considerations

3.0 3.1 Planning History
S/2006/1391/O - Redevelopment of existing light industrial lands for residential use - 142 units (1 no. 3 bed detached, 10 no. 3 bed terrace, 18 no. 2 bed family maisonettes, 22 no. 2 bed individual front door apartments, 43 no. dual aspect apartments and 48 no. 2 bed apartments. Approved 9th February 2012
4.0 Policy Framework

4.1 Belfast Urban Area Plan
   Draft Belfast Metropolitan Area Plan 2015

4.2 Strategic Planning Policy Statement for Northern Ireland
   Planning Policy Statement 3 - Access, Movement and Parking
   Planning Policy Statement 6 (Addendum) – Areas of Townscape Character
   Planning Policy Statement 7 – Quality Residential Environments
   Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation Residential Areas.
   Planning Policy 12 – Housing in Settlements

5.0 Statutory Consultees
   Transport NI – Await formal response
   WaterNI – No objections
   NIEA – No objections subject to conditions

6.0 Non-Statutory Consultees
   Environmental Health BCC – No objection subject to conditions

7.0 Representations
   A total of 30 letters of objection have been received, as well as one letter of support. The following issues have been raised:
   - Traffic and parking problems in an already busy area
   - Creation of a ‘short-cut’ between two main roads on an already narrow street.
     Pedestrian safety issues arising for current residents.
   - Noise from additional traffic and residents
   - Access to train station causing potential for anti-social behaviour
   - Housing does not meet any identifiable or perceived demand
   - Impact on existing residents caused by 87 units, including loss of light and impact on private amenity
   - Inadequacies in sewage infrastructure and pressure caused by proposed development
   - Design out of keeping with area
   - Can there be a guarantee that the development will be finished
   - It should be noted that the above points were raised about the original layout, later amended to provide 64 units. Many of these concerns have been re-iterated by additional objections after the scheme was amended.
   - Impact on trees within an ATC
   - Demolition of Barbour Spinning Mill building which makes a positive contribution to the character of the Area of Townscape Character.
   - Impact on amenity of neighbouring properties in Barbour Gardens
   - Use of existing alleyway to rear of Barbour Gardens

8.0 Other Material Considerations
   Creating Places and Living Places

9.0 Assessment
   The key issues in the assessment of the proposed development include:
   - The acceptability of redeveloping site, height, Scale and Design;
   - Traffic and Parking
   - Contaminated Land
   - Impact on Residential Amenity
   - Open Space Provision

9.1 Principle of Redeveloping the Site & Height, Scale and Mass
   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 Draft BMAP 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.

9.2 The site is located within the development limits of Belfast within the Belfast Urban Area Plan and Draft Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below. In the BUAP the site is unzoned whiteland. Within the Draft BMAP the front portion of the site fronting onto Upper Dunmurry Lane falls within a proposed Area of Townscape Character, with the remainder of the site zoned as an area of existing employment.

9.3 Subsequently, in BMAP the site was located within an uncommitted housing zoning ML 04/05. The small stretch of the site frontage which abuts Upper Dunmurry Lane was located within an Area of Townscape Character (ML 20), as in the Draft BMAP. Whilst this is not determining, it can be concluded that had the plan been adopted the site would have attained this status. Therefore, together with the planning history and the advanced stage of BMAP it is a significant material consideration in this case.

9.4 The principle of residential development on the site and the loss of industrial/employment land has already been established under planning approval S/2006/0391/O, this must be given significant weight given the length of time the application has been in the system and its advanced status. 142 units were approved in total. This scheme was dominated by apartments and maisonettes, the high density scheme ultimately achieved by the creation of a large underground parking area. The proposal, for 64 units, therefore represents a significant drop in density, however with the parking now proposed at ground level, it is important to look at the new layout and how the parking can be accommodated in a sympathetic manner. The quality of the layout, the open space provision, design, scale and massing shall be addressed below.

9.5 The layout has been amended to address initial concerns with regard to the overall quality of the scheme. With the initial proposal for 87 units (49 terraced houses and 38 apartments) it was felt that the layout was dominated by hardstanding, primarily a result of the need to accommodate a high level of car parking to serve the proposed apartments and terraced dwellings. TransportNI also had concerns that the access road would be used as a through road, thus requiring a high level of traffic calming. As a result of discussions between the Council, TransportNI and the agent/applicant it was decided to split the site in two, one part accessed onto Dunmurry Lane via Station Road and the other part accessed via Barbour Crescent. Each part of the site has a designated area of open space. The southern part consisting of railway-side apartments which tie in with the existing apartment blocks on Station Road and a row of terraced dwellings creating a frontage onto Station Road. The northern part of the site is characterised by terraced dwellings facing onto a central area of open space, with a small courtyard style development located to the rear of the dwellings on Barbour Crescent.

9.6 The proposal has been assessed against Policy ATC1 and ATC2 of the Addendum to PPS6 and Policy QDI of PPS7. The narrow part of the site which fronts onto Upper Dunmurry Lane is located within an Area of Townscape Character, as proposed in Draft BMAP. The principle of demolition within the Area of Townscape Character and residential development on the site frontage has been established. On the previous approval a block of semi-detached dwellings were shown. Although the context along this stretch of road is predominantly two and two and a half storey terraced blocks the land falls away to the west. This will ensure the proposed block does not appear dominant in the streetscape, as illustrated by the streetscape elevations (MM1407-P-101), with no built form to the immediate west along Dunmurry Lane. The top floor is also stepped back significantly, thus reducing the visual impact further with the shoulder height of the building tying in with the eaves heights of the buildings to the east along this side of Upper Dunmurry Lane. The red bricked finish on the first three floors provides a welcome historical nod to the industrial heritage of the site and its former use.
| 9.7 | Moving further into the site the large apartment block behind the roadside apartments offers a landmark building and again acknowledges the character of the old industrial buildings on the site and the traditional style and proportions of industrial/mill buildings of the late 19th and early 20th centuries. Given the peripheral location of this building alongside the railway tracks its scale and massing can be accommodated with little or no adverse impact upon the residential character of the area or on neighbouring amenity, and as stated previously it reflects the sites former industrial use offering a feature building in the site and helping to create a distinctive character. |
| 9.8 | Internally the main built form is that of long terraced blocks. This reflects the established high density terraced character of the area, with the lay-by parking and houses tight to the street along the southern part of Station View very much in keeping with the dwellings along the eastern part of the existing roadway. A row of terraced housing has been introduced to the rear of the large apartment block in the south-western part of the site. This helps create a sense of place whereas before there was an area of open space with a number of dwellings backing onto it, with this limited level of surveillance and backland location offering little in the way of recreational value, or indeed visual value to the development as a whole. |
| 9.9 | Traffic and Parking

As a result of discussions with TransportNI the layout was amended significantly. Most notably the proposed through road between Upper Dunmurry Lane and Barbour Gardens has been removed with two separate pockets of development being created. This should also go some distance in alleviating concerns raised by a number of objectors.

A total of 37 communal car parking spaces and 35 in-curtilage spaces have been provided. In-curtilage parking has been provided for the majority of the dwellings, with roadside parking shown for six of the dwellings fronting onto Station View. A communal parking bay has been provided along the western site boundary to serve the dwellings in the northern part of the site and the two apartment blocks in the south-west part of the site. Although detailed comments from TransportNI remain outstanding it is not anticipated that they will raise any concerns with regards to the overall principle of the development given a generous parking provision and the sites proximity to the Dunmurry train halt, links to the wider public transport network and local amenities. |
| 9.10 | Contaminated Land

Environmental Health have noted that the site of the development is located close to and on land use types that have the potential to contaminate land and pose a risk to human health. The land use types are known to include – railway land and factory land. Subsequently there exists the possibility that this land may present a risk to human health if the development proceeds without proper consideration of these risks. Environmental Health Unit therefore requested that planning permission be withheld until the applicant submits a Contaminated Land Risk Assessment.

In response to the request a report - Mason Evans ‘Proposed development; Station View, Dunmurry; Updated Generic Quantitative Risk Assessment’, Project reference: P15/198, dated September 2015, was submitted for consideration. |
| 9.12 | The Environmental Health Service examined the additional environmental information from Mason Evans, dated 10th October 2016, submitted in response to a number of clarifications concerning the Remediation Strategy recently requested by this Service (Ref ST/381121, dated 10th October 2016). |
| 9.13 | The clarifications concerned the excavation of soils, type of VOC proof membrane and the proposed capping system throughout landscaped areas of the development have been accepted and Environmental Health have requested that in the event planning permission is
9.14 granted for the development the conditions detailed at 11.2 and 11.3 are attached.

NIEA Waste Management (Land Groundwater Team) have no objection to the development provided conditions as detailed at 11.5 - 11.9 are placed on any Planning Decision Notice, as recommended.

**Impact on Residential Amenity**

In terms of the amenity of the residents within the proposed scheme Environmental Health did not feel a Noise Impact Assessment was necessary given the distance from the nearest proposed dwellings/apartments to the railway line. In terms of the impact of the proposed built form on the amenity of adjoining properties there are no areas where there would be a strong conflict. The higher apartment buildings which would arguably have the potential to have the greatest impact are located on the western periphery of the site along the railway line adjacent to an existing office building to the immediate west of the two proposed apartment blocks in the south-west corner. The only area where a proposed dwelling may have some impact on the private amenity of an adjoining property would be the north-eastern point of the site to the rear of the dwellings in Barbour Crescent and Royal Mews. As stated above ample separation distances of 15 - 25m with a proposed 1.8m high hedge along the site boundary should ensure that any impact will not be significant.

**Open Space Provision**

The proposal has been assessed against Policy OS2 of PPS8. The policy requires the provision of public open space within residential developments with over 25 units. The level of provision should be at least 10% of the total site area. In this case the site area is approximately 1.4ha. Subsequently the public open space provided within the scheme should be 1,400 square metres. There are three distinct pockets of open space. The main area of open space is located centrally within the housing area in the north of the site. The total open space area provided is approximately 1,875 square metres, therefore complying with Policy OS2.

**Consideration of objections:**

- **TransportNI have offered no major objections given recent amendments, namely the omission of the originally proposed through road. Detailed comment is awaited on the latest layout.**
- Creation of a ‘short-cut’ between two main roads on an already narrow street. Pedestrian safety issues arising for current residents
- **TransportNI no objections to the principle of the proposal. The proposed through-road has now been removed with the development now in two separate areas**
- Noise from additional traffic and residents
- **Environmental Health have not raised any objections in terms of noise. A 10m buffer has been provided to the rear of the proposed dwellings backing onto the railway.**
- Access to train station causing potential for anti-social behaviour
- **This is ultimately a policing matter, the apartments should ensure surveillance over the transitional area between the open space in the southern part of the site and the existing building beside the railway to the immediate south-east of the site.**
- Housing does not meet any identifiable or perceived demand
- **It is not necessary in this case to present a housing need. The site had a live approval for housing when the application was submitted, this approval lapsed in February 2017 and thus must be given considerable determining weight.**
- Impact on existing residents caused by 87 units, including loss of light and impact on private amenity
- **This is considered in more detail at 9.12 above. No significant conflict between**
existing and proposed properties. The apartment blocks are located some distance from established two storey housing.
- Inadequacies in sewage infrastructure and pressure caused by proposed development
- WaterNI have offered no objections to the principle of development.
- Design out of keeping with area
- The design is discussed in detail at 9.1-9.6 above.
- Can there be a guarantee that the development will be finished
- A time condition will be applied, should permission be granted, that works will commence within 5 years of the date of the approval. There is no time limit on completion of the proposal.
- Demolition of Barbour Spinning Mill building which makes a positive contribution to the character of the Area of Townscape Character.
- The mill building is not located within the proposed Area of Townscape Character.
- Impact on amenity of neighbouring properties in Barbour Gardens
- The three proposed backland dwellings fronting onto Barbour Gardens in the eastern periphery of the site are located at least 15m from the rear boundary of the nearest dwelling. This separation distance extends to 25m. With a 1.8m high hedge proposed along the boundary and an existing alleyway between the site boundary and the boundary of the adjacent properties in Barbour Gardens there should be no unduly significant impact on the amenity of these existing dwellings.
- Use of existing alleyway to rear of Barbour Gardens
- The use of the existing alleyway is not proposed as part of the development.

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<tr>
<th>10.0</th>
<th>Summary of Recommendation: Approval</th>
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<tr>
<td>10.1</td>
<td>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission should be approved for the following reason.</td>
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<tr>
<td>10.2</td>
<td>The principle of housing has already been accepted on the site through the granting of outline planning permission for 142 units. The proposed scheme, with a high quality design and two distinctive areas with ample open space provision, represents a significant reduction in the approved density and will undoubtedly provide a better quality residential environment, whilst enhancing the character of the area which at the moment is dominated by a partly vacant industrial site. The proposed two storey terraced dwellings respect the established character of Station View and Barbour Gardens whilst the larger apartment blocks are an architectural nod to the industrial heritage of the area, with some of the larger red bricked industrial buildings still present on the site. A central area of open space and play area will help ensure a strong sense of place is created with a high quality finish in terms of hard standing and landscaping ensuring the provision of a quality residential environment.</td>
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<tr>
<th>11.0</th>
<th>Conditions</th>
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<tr>
<td>11.1</td>
<td>As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</td>
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<td>Reason: Time Limit.</td>
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| 11.2 | Prior to the occupation of the proposed development, the applicant shall provide to Belfast City Council, for approval, a Verification Report. This report must demonstrate that the relevant remediation measures outlined in the following documents have been implemented: |


The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for end-use (residential with gardens/public open space (Residential)). It must demonstrate that the identified potential pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency. In particular, this Verification Report must demonstrate:

- gas protection measures in accordance with CIRIA C665 Characteristic Situation 2 have been installed throughout all buildings of the proposed development. The gas protection membrane shall also act as a vapour protection membrane.

- the emplacement of a clean cover system to a depth of 600mm demonstrably suitable for end use within all gardens and landscaped areas.

**Reason:** In the interests of public health and safety.

In the event that contamination not previously considered is encountered during the approved development of this site the development shall cease and a written report detailing the nature of this contamination and its management must be submitted to Planning Service for approval. This investigation and risk assessment must be undertaken in accordance with current best practice.

**Reason:** In the interests of public and environmental health.

Prior to site clearance a detailed remediation strategy shall be submitted in writing and agreed with the Planning Authority. This should identify all unacceptable risks on the site, the remedial objectives / criteria and the measures which are proposed to mitigate them including maps/plans showing the remediation design, implementation plan detailing timetable of works, remedial criteria and the details of proposed groundwater monitoring network, analytical suite and programme pre, during and post construction to demonstrate that all unacceptable risk to the shallow groundwater environment have been managed.

**Reason:** Protection of environmental receptors to ensure the site is suitable for use.

As part of the site clearance works, all remaining oil storage tanks and associated infrastructure, if present, shall be fully decommissioned in line with Pollution Prevention Guidance No 2 and No 27. Should new contamination and risks be identified then Condition 5 will apply. Details of the decommissioning and removal of the storage tanks should be reported in writing in the remediation verification report.

**Reason:** Protection of environmental receptors to ensure the site is suitable for use.

Prior to any development or construction work, a piling risk assessment should be completed and submitted in writing to the Department for its agreement, prior to the development being commenced. This assessment should take account of the site data generated under Condition 2 and should refer to the guidance provided in the Environment Agency (2001) document, “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention”, reference NC/99/73.
11.7 Reason: Protection of environmental receptors to ensure the site is suitable for use.

The site shall not be occupied until the remediation measures as described in the remediation strategy submitted under Condition 11.4 have been implemented to the satisfaction of the Planning Authority. The planning authority must be given 2 weeks written notification prior to the commencement of remediation work.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11.8 After completing the remediation works under Conditions 11.4 and 11.5; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

11.9 During the first available planting season prior to occupation of the first dwelling unit planting shall be carried out in accordance with approved landscape plan No. 14/A date stamped 19th April 2017, or as otherwise agreed in writing by Belfast City Council.

Reason: To ensure the provision of a quality residential environment.

11.10 All hard and soft landscape works shall be carried out in accordance with the approved details as indicated on plan No. 14/A date stamped 19th April 2017, and the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out during the first available planting season after commencement of development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

11.11 If within a period of 5 years from the date of the planting of any tree, that tree is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Department, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Council gives its written consent to any variation.

Reason: To compensate for the loss of existing trees and ensure the provision of a quality residential environment.

11.12 None of the residential units hereby approved shall be occupied until a signed Legal Agreement is submitted to and approved by the Council to show how the open space and public amenity areas shown on the stamped approved Drawing No. 14/A bearing the date stamp 19th April 2017 shall be managed and maintained in perpetuity by a Management Company supported by a charitable trust or properly constituted residents association with associated management arrangements, or other such arrangements agreeable to the Council. This legal agreement should include a detailed management plan/maintenance schedule.

Reason: To ensure successful establishment and maintenance in perpetuity of the open space and amenity areas in the interests of visual and residential amenity.
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<tr>
<td><strong>Informatives:</strong></td>
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<tr>
<td>The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation.</td>
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<tr>
<td>It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks. Failure to provide a satisfactory Verification Report may lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.</td>
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<tr>
<td>The purpose of the Conditions 11.4 - 11.8 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks</td>
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<tr>
<td>The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.</td>
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| 12.0 | Notification to Department (if relevant) |
|      | N/A |

| 13.0 | Representation from elected member |
|      | N/A |

| Neighbour Notification Checked | Yes |
### ANNEX

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<th>Date Valid</th>
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<tr>
<td>Date First Advertised</td>
<td>8th May 2015</td>
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<td>Date Last Advertised</td>
<td>19th May 2017</td>
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**Details of Neighbour Notification (all addresses)**
- 06 17F Station View Dunmurry
- 07 17G Station View Dunmurry
- 1 Railway Street, Dunmurry, Antrim, BT17 0AQ,
- 1-29 Station View Dunmurry Dunmurry
- 2-6, 10-24 Barbour Gardens, Dunmurry, Dunmurry, Antrim, Northern Ireland, BT17
- 13 Hill Street, Dunmurry, Antrim, BT17 0AD,
- 18-20 Dunmurry Lane, Dunmurry, Belfast
- 19-21, 32-46 Upper Dunmurry Lane, Dunmurry, Dunmurry, Antrim, BT17 9RP,
- 23, 24 Royal Mews, Dunmurry, Antrim, BT17 9NJ,
- The Halt, 18-29 Station View, Dunmurry, Dunmurry, Antrim, BT17 0AE,
- Unit 2, 17 Station View, Dunmurry, Dunmurry, Antrim, BT17 9AB,
- Unit 2a Station View Dunmurry
- Unit 3 Station View Dunmurry
- Unit 4 Station View Dunmurry
- Unit A Unit 2a Station View
- Unit B, Unit 2a, Station View, Dunmurry, Dunmurry, Antrim, BT17 9AB,

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<th>Date of Last Neighbour Notification</th>
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<td>Date of EIA Determination</td>
<td>16th June 2015</td>
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<td>ES Requested</td>
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**Representations from Elected Representatives:**
- Cllr Brian Heading – Status update and expressed concerns early in process
- Cllr Séanna Walshe – Support. Attended meeting

**Drawing Numbers and Title**
- 01, 02/B, 03/A, 04/A, 05/A, 06/A, 07/A, 08/A, 09/A, 11, 12, 13, 14/A, 15/B

**Notification to Department (if relevant)**
- Date of Notification to Department:
- Response of Department:
### Development Management Officer Report
#### Committee Application

<table>
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<tr>
<th>Summary</th>
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<tr>
<td><strong>Committee Meeting Date:</strong> 20 June 2017</td>
</tr>
<tr>
<td><strong>Application ID:</strong> LA04/2017/0171/F</td>
</tr>
<tr>
<td><strong>Proposal:</strong> Change of use from offices to 37 bedroom hotel with associated restaurant, bar and ancillary facilities including new rooftop terrace.</td>
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<tr>
<td><strong>Location:</strong> 5, 9-13 Waring Street Belfast</td>
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<tr>
<td><strong>Referral Route:</strong> Hotel Development more than 30 Bedrooms.</td>
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<tr>
<td><strong>Recommendation:</strong> Approval</td>
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<tr>
<td><strong>Applicant Name and Address:</strong> Chanro Investments Limited 32 Lodge Road Coleraine</td>
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<tr>
<td><strong>Agent Name and Address:</strong> Barry Owens Consulting 38 Highfields Avenue Newry BT35 8UG</td>
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### Executive Summary:
The application seeks full permission for change of use from vacant offices to 37 bedroom hotel with associated restaurant, bar and ancillary facilities including new rooftop terrace.

The key issues in the assessment of the proposal are as follows:
- The acceptability of the proposed hotel at this location and the loss of existing office space;
- Impact on character appearance of the Cathedral conservation area;
- The impact on the listed building and setting of adjacent listed buildings;
- Design and layout of the proposed accommodation;
- Impact on transport and other infrastructure;
- Flooding

The site is located within Belfast City Centre and within the Cathedral Conservation Area. The proposed hotel use is compatible with the locality and the site, and the loss of office space is not considered detrimental to the overall provision in the city centre. The proposal will have no impact on the character and appearance of the conservation area and all important views within, into and out of the area will be protected.

No objections or representations have been received. Statutory and non-statutory consultees have offered no objections subject to the conditions outlined below in the report.

Having had regard to the development plan, relevant planning policies, histories and other material considerations, it is determined that the proposal should be approved subject to conditions.
1.0 Description of Proposed Development
The proposed development is for the change of use from vacant offices to 37 bedroom hotel with associated restaurant, bar and ancillary facilities including new roof top terrace.

2.0 Description of Site
The building is a detached five storey modernist building with an L shaped rear wing, it provides office accommodation for charities and organisations which is not vacant. The front and rear walls are of modular concrete framework with slate panels below window openings to the north elevation, the south is finished in red brick. A copper clad round tower sits to the west end of the roof. The ground floor is set back behind black slate pillars, Sugar House Entry runs along the south western boundary of the site. a single storey building is located to the rear of the site housing the Royal Ulster Rifles Museum.

Planning Assessment of Policy and other Material Considerations

3.0 Site History
LA04/2015/1451/F - Change of use from Office and Museum to 63 bedroom Hotel with associated Conference, Leisure and Ancillary Facilities.

LA04/2015/1452/LBC - Alterations and extensions to Listed Building

LA04/2016/0195/DCA - Partial demolition of rear section of existing listed building as part of proposed change of use from offices / museum to 63 bedroom hotel with associated conference, leisure and ancillary facilities including extension and alterations (as per planning application LA04/2015/1451/F)
4.0 Policy Framework

4.1 Regional Development Strategy
Strategic Planning Policy Statement for Northern Ireland
Belfast Urban Area Plan 2001
Belfast Metropolitan Area Plan (2015) (draft)
Planning Policy Statement 3 - Access, Movement and Parking
Planning Policy 4 - Planning and Economic Development
Planning Policy Statement 6 - Planning, Archaeology and the Built Heritage
Addendum to PPS 6: Areas of Townscape Character
Planning Policy Statement 15 (Revised) - Planning and Flood Risk

5.0 Statutory Consultees Responses

5.1 Transport NI – awaiting
Rivers Agency – No Objection
NIEA Historic Buildings Unit – awaiting on LBC
NIEA – No objection subject to NIW approval and conditions
NIW – No objection.

6.0 Non Statutory Consultees Responses

6.1 Environmental Health – no objection subject to conditions

7.0 Representations

7.1 No objections or representations

8.0 Other Material Considerations

8.1 Cathedral Conservation Area Guidance

9.0 Assessment

9.1 The key issues in the assessment of the proposal are as follows:

- The acceptability of the proposed hotel at this location and the loss of existing office space;
- Impact on character appearance of the Cathedral conservation area;
- The impact on the listed building and setting of adjacent listed buildings;
- Design and layout of the proposed accommodation;
- Impact on transport and other infrastructure.
- Flooding

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 consideration indicate otherwise.

9.3 The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration. The proposed development lies within the development limit for Belfast City Centre, the Old City Character Area (CC09), the area of archaeological potential and the area of parking restraint (CC025) as set out in the draft
The acceptability of the proposed hotel at this location and the loss of existing office space.

The proposal is to change the use of a vacant office building to a 37 bedroom Hotel with associated restaurant, bar and roof top terrace. A five storey 'tower' extension is also proposed to the rear elevation to house a new stair case and lift. While the building is currently a vacant office building there remains significant provision of office accommodation within the city centre and the loss of office space is not considered detrimental to the city centre as a whole. A hotel use at this location will further enhance the vitality and viability of the city centre and it is considered, on balance, that such a proposal would not conflict with any relevant policy and in particular PED7 of PPS4.

Impact on character appearance of the Cathedral conservation area.

The site lies within the Cathedral Conservation Area and also the Old City Character Area (CC09) as designated in draft BMAP. This sets out a number of urban design criteria for the area.

Designation CC09 does not refer specifically to Waring Street however it does refer to new developments respecting the building line, new building heights should be between 3 and 5 storeys and shall reflect traditional plot widths. The existing building is five storeys with a proposed open roof terrace. The scale and massing is considered in keeping with the existing immediate context of the site. The proposal is therefore considered to comply with CC09 of the development plan.

The site is identified as falling within the Cathedral Conservation Area. The primary policy considerations are set out in PPS 6, Policy BH12 – new development in a Conservation Area. BH12 sets out 7 general criteria for proposals. It considered the proposal complies with these policy tests. The existing Waring Street elevation will remain largely unaltered. The proposal will improve and enhance the character and appearance of the area and all important views within, into and out of the area will be protected.

The Conservation Area Officer was consulted on the application and notes that the proposed roof structure is somewhat alien in context of the conservation area however it is recognised that the structure is set back and views and visibility will be limited from public view points. There is no objection to the proposal

The impact on the listed building and setting of adjacent listed buildings

Policy BH 7 and BH 8 of PPS 6 refers to the change of use and the extension or alteration of a Listed Building. The change of use will secure the upkeep and survival along with the character and architectural heritage of the building. The proposed works are sympathetic and in keeping with the building.

The site is adjacent to several listed buildings including the Northern Whig 2-10 Bridge Street, Arnott's Building at High Street and 1 Donegall Street. NIEA Historic Buildings Unit were also consulted on the listed building application and had initial concerns regarding the impact of the roof terrace on the War Memorial Building. Amended plans and information have been submitted and are with HED. In the absence of a formal response the final wording of conditions shall be delegated to the director of Planning and Place.

Design and layout of the proposed accommodation.
The existing building will be retained and refurbished, the Waring Street elevation will remain largely unchanged. An additional five storey tower is proposed on the rear elevation housing the stairwell and lift thus allowing the building to comply with regulations without requiring substantial and intrusive alterations to the historic fabric. The extension will not be visible from the main road nor will it have a detrimental impact on amenity of the neighbouring buildings due to loss of light or overlooking. The proposed hotel does not overlook any residential properties, the adjoining premises are primarily commercial and office accommodation.

Environmental Services Department were consulted on the application and initially had concerns regarding the roof top terrace and the potential for noise disturbance to the residents of the nearby Premier Inn Hotel. As such a condition has been recommended for the submission of a noise verification report. Conditions regarding contaminated land and odour abatement system have also been requested. These conditions are detailed below. The proposed structure is set back and of limited visibility from public viewpoints and is unlikely to detrimentally impact on the Conservation Area.

Impact on transport and other infrastructure.

The proposal has been assessed against PPS3. Transport NI considers the Transport Assessment Form containing the Travel Plan, Parking Statement & Service Management Plan submitted in support of the application acceptable subject to conditions which are set out below. The site is detailed as being well served by public transport and within walking distance to bus and rail stations. There is also the provision of cycle parking within the site boundary, the proposal therefore complies with Policy AMP 6 of PPS 3.

Flooding/Drainage

The existing building is already connected to the public water and sewerage networks. NIEA Drainage and Water and NIW have both been consulted and given that NIW are satisfied with the proposal NIEA’s Drainage and Water team have no objection subject to conditions outlined below.

Summary of Recommendation: Approval

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.

The proposed change of use is considered acceptable in its locality and will enhance the appearance of the existing structure, which in turn will make a more positive contribution to the character of the Conservation Area at this location. Statutory and non-statutory consultees have offered no objections subject to the conditions outlined below. Approval is recommended.

Conditions

1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The development hereby permitted shall not become operational until the redundant
vehicular access from the site to the public road has been permanently closed and
the footway reinstated to the satisfaction of TransportNI.

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

3. The development hereby permitted shall not become operational until a Travel Plan
has been prepared in general accordance with the framework Travel Plan contained
within the Transport Assessment Form document bearing Planning Authority date

REASON: To promote the use of alternative modes of transport in accordance with
sustainable transportation principles.

4. The development hereby permitted shall operate in accordance with the Service
Management Plan contained within the Transport Assessment Form document
bearing Planning Authority date stamp 25th April 2017.

REASON: In the interests of road safety and the convenience of road users.

5. The development hereby permitted shall not become operational until sheltered cycle
parking facilities have been provided in accordance with Drawing No.06B bearing the
date stamp 25th April 2017.

REASON: To promote the use of alternative modes of transport in accordance with
sustainable transportation principles.

6. A Noise Verification report shall be submitted to the Council demonstrating that the
Noise Rating Level of all combined plant and equipment associated with the
development does not increase the existing background noise level (for both day time
and night time hours). The noise level shall be determined at the boundary of the
nearest noise sensitive premises and all measurements shall be made in accordance
with BS4142:2014 Method for rating industrial noise affecting mixed residential and
industrial areas.

Reason: In the interest of amenity

7. Prior to occupation of the development, the applicant shall provide a Contaminated
Land Verification Report for approval by Belfast City Council. This report must
demonstrate that the mitigation measures outlined in section 6 of the WYG PRA
report A094199 September 2015 have been incorporated into the development. The
report shall further verify that the floor slab within the refurbished elements of
the development shall provide equivalent protection required for CS2, as detailed
in the WYG clarification document emailed on 07/01/2016. This report must be in
accordance with current best practice and guidance as outlined by the Environment
Agency.


8. In the event that the existing floor slab is found not to provide CS2 commensurate
protection, further site investigation, risk assessment and if necessary remediation
strategy shall be submitted to the Planning Service for approval as detailed within
the WYG clarification document LA04/2015/1451/F - 7/01/2016
9. Permitted Development rights are withheld from this site as non-remediated development has been identified as having the potential to adversely impact on human health. In the event that contamination is encountered during the approved development of this site that was not previously identified it must be reported in writing immediately to Belfast City Council. An investigation and risk assessment must be undertaken in accordance with current best practice and where remediation is deemed necessary, a remediation strategy must be prepared which will be subject to the approval in writing by Belfast City Council.


10. Prior to operations commencing a proprietary odour abatement system shall be installed to suppress and disperse odours created from cooking operations on the premises. The outlet from any extract ventilation ducting shall terminate at a height not less than 1 metre above the eaves height of the main building and it should be directed away from nearby premises. The extraction and ventilation system must be cleaned and maintained in accordance with Manufacturer’s instructions to ensure compliance.


**Notification to Department (if relevant)**

N/A

**Representations from Elected members:**

N/A
### ANNEX

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<td>21 – roof canopy</td>
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## Development Management Officer Report
### Committee Application

### Summary

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<th>Committee Meeting Date:</th>
<th>20th June 2017</th>
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<tr>
<td>Application ID:</td>
<td>LA04/2017/0497/F</td>
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<tr>
<td>Proposal:</td>
<td>Location: Annsgate House 70-74 Ann Street Belfast BT1 4EH/40-42 Church Lane Belfast</td>
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<tr>
<td>Change of use of existing office accommodation to provide 30-bedroom hotel accommodation with roof extension/roof terrace including a bar and associated screening forming an extension to the neighbouring hotel at 40a Church Lane, Belfast</td>
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### Referral Route:
Proposal is for a 30-bedroom hotel

### Recommendation:
Approval

### Applicant Name and Address:
Cathedral Leisure Ltd
3 Hill Street
Belfast
BT1 2LA

### Agent Name and Address:
ADO (Belfast) Ltd
67 Edenderry Village
Belfast
BT8 8LQ

### Executive Summary:

This application seeks full planning permission for the change of use of existing office accommodation to provide 30-bedroom hotel accommodation with roof extension and creation of roof terrace including a bar and associated screening forming an extension to the neighbouring hotel at 40a Church Lane, Belfast.

The key issues in the assessment of this application are:

- Acceptability of proposed use and loss of offices
- Design, impact on character of the surrounding area, City Centre Conservation Area and setting of Listed Buildings
- Impact on area of archaeological potential
- Impact on existing roads infrastructure/acceptability of access arrangements
- Impact upon amenity of neighbouring properties and future occupants
- Flooding

Transport NI, NI Water, Historic Environment Division and the Council’s Environmental Protection Unit have offered no objections to the proposal and standard conditions are to be applied. The Council’s Conservation Officer has no objection to the change of use or creation of roof terrace however they have highlighted concern with the roof extension. The submitted Flood Risk Assessment (FRA) is currently being reviewed by Rivers Agency and their response will be reported as an update to committee.

No letters of objection have been received.

The site is located within Belfast City Centre. It is also within the City Centre Conservation Area and the Old City Character Area. The proposed hotel use is compatible with its city centre location and the loss of office space is not considered to be detrimental given its recent underuse, the existing supply of office within the city centre and the many benefits associated with the proposed hotel extension. The concerns of the Council’s Conservation Officer are noted, however on balance it is considered that the proposal would represent an overall enhancement to the character and appearance of the Conservation Area and surrounding area.

The proposal is considered to be in accordance with the development plan, relevant planning policies and other material considerations and as such it is recommended that the proposal should be approved subject to conditions.
1.0 Description of Proposed Development
This application seeks planning permission for the change of use of the existing office accommodation to provide 30-bedroom hotel accommodation with roof extension and creation of a roof terrace including a bar and associating screening to form an extension to the neighbouring hotel at 40a Church Lane (known as Bullit Hotel).

Amended plans were submitted during the course of the application with the re-configuration of the rooftop bar layout.

2.0 Description of Site
The site comprises of a 4 storey building at the corner of Church Lane and Ann Street and an adjoining 3 storey building along Church Lane with commercial units and a public house on the ground floor and offices on the upper floors. The surrounding area is of a commercial nature. The site is located within Belfast City Centre Conservation Area.

Planning Assessment of Policy and other Material Considerations

3.0 Site History
No relevant history on application site

Existing Bullit Hotel
LA04/2015/0675/F – Change of use and extension of existing office building to provide hotel accommodation (58 bedrooms) – Granted 08.01.2016
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<td>LA04/2016/1797/A - 2 no. Projecting Hotel Signs with additional flush fitting at first floor level – Granted 22.02.2017</td>
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<td>LA04/2017/0936/F - Change of use of 4th floor from hotel to bar, 4th floor extension and elevation changes – Pending</td>
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4.0 Policy Framework

4.1 Belfast Urban Area Plan 2001 (BUAP) (Draft) Belfast Metropolitan Area Plan

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 Draft BMAP 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.

4.2 Regional Development Strategy

Strategic Planning Policy Statement for Northern Ireland
Planning Policy Statement 3 - Access, Movement and Parking
Planning Policy Statement 4 – Planning and Economic Development
Planning Policy Statement 15 – Planning and Flood Risk

5.0 Statutory Consultees

Historic Environment Division (HED) – No objection
NI Water – No objection subject to conditions
Rivers Agency – Awaiting response, will be reported as an update to committee
Transport NI - No objection subject to conditions

6.0 Non-Statutory Consultees

Environmental Health BCC – No objection
Conservation Officer BCC – No objection to proposed change of use / internal reconfiguration and roof terrace. Highlighted concern over stairwell and toilet block, in that it would represent a contextually inappropriate roof form. Recommended enhancement of the existing building façade

7.0 Representations

None received

8.0 Other Material Considerations

City Centre Conservation Area guidance document

9.0 Assessment

9.1 The key issues in the assessment of the proposed development include:
- Acceptability of proposed use and loss of offices
- Design, impact on character and appearance of City Centre Conservation Area and setting of Listed Buildings
- Impact on area of archaeological potential
- Impact on existing roads infrastructure/ acceptability of access arrangements
- Impact upon amenity of neighbouring properties and future occupants
- Flooding

Acceptability of proposed use and loss of offices

There is no major policy conflict in respect of the approach to city centre uses and the loss of office space in the BUAP, Draft BMAP and the SPPS. The site is located within the development limits of the city centre and as such there is a presumption in favour of development. The proposed hotel extension with rooftop bar would bring back the vacant upper floors of the buildings into active use and would help to further enhance the vitality and viability of the city centre. Whilst there would be a loss of office space, given the underuse of the existing offices in recent years, the existing supply of offices within the city centre and the undoubted contribution to the local economy that the proposed hotel extension would bring, on balance the proposal is deemed acceptable on what is a prime
<table>
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<th>Text</th>
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<tr>
<td>9.3</td>
<td>The works to the existing building are mainly limited to internal conversion works to provide the 30 guestroom extension to the adjoining hotel. The main impact is from the roof extension prefinished in metal cladding at a maximum height of 2.7 metres which would front onto Ann Street and the roof terrace bar/ storefront onto Church Lane. The Conservation Officer has no objection per se to the creation of the terrace, however they have highlighted some concern with the roof extension stating that it would represent a contextually inappropriate roof structure in the context of the host building and surrounding area.</td>
</tr>
<tr>
<td>9.4</td>
<td>The location of the stairwell is dictated by the existing stairwell within the building and the extension would be of a similar form and scale to the extension approved on the adjoining hotel and would step down to the corner with Church Lane. The proposed extension would represent a relatively low key addition to a 1960s office building and a materials condition has been recommended to secure the use of high quality materials. The existing building at present is of low significance in terms of architectural merit and contribution to the character and appearance of the conservation area. This proposal would bring back this vacant building into active use and given the low key nature of the proposed extension/terrace providing attractive roof planting along its edges which would help towards modernising what is an outdated building, overall it is considered that the proposal would result in an enhancement to the character and appearance of the City Centre Conservation Area and surrounding area in accordance with Policy BH12 of PPS6 and the SPPS.</td>
</tr>
<tr>
<td>9.5</td>
<td>The site is located within the Old City Character Area (Policy CC 012) as designated in the Draft BMAP which sets out a number of urban design criteria for the area. However, as this proposal is mainly a change of use with a roof extension, the urban design criteria is not directly applicable in this case as it is primarily for new build proposals.</td>
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<tr>
<td>9.6</td>
<td>There are a number of nearby listed buildings in the vicinity of the application site including 57 Ann Street (Grade B2) and St George’s Church (Grade A). However given the separation distances, intervening buildings and the nature of the works which do not affect the scale and massing of the existing building to a significant extent, it is considered that the proposal would not be harmful to the setting of the nearby listed buildings in accordance with Policy BH11 of the of PPS6. HED were consulted on the planning application and have no objection.</td>
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<td>9.7</td>
<td>Impact on area of archaeological potential</td>
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<tr>
<td>9.7.1</td>
<td>The site is located within an area of archaeological potential. The proposed works are limited to above ground level only. Subsequently there are no archaeological implications associated with the scheme. HED were consulted and had no objection. As such the proposal is considered to accord with Policy BH4 of PPS6 and the SPPS.</td>
</tr>
<tr>
<td>9.8</td>
<td>Impact on existing roads, infrastructure/ acceptability of access arrangements</td>
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| 9.8.1   | A Transport Assessment Form has been submitted in support of the application. No car parking is to be provided as part of the development, however the proposal would result in less vehicle movement than the existing office use. Furthermore, the site is within a highly sustainable location which is supported by a wide range of amenities and public transport links. This approach accords with the SPPS to help reduce the reliance on the use of private car. A Travel and Service Management Plan was approved as part of the existing hotel and conditions have been recommended to secure this as part of the current scheme. Transport NI were consulted and have no objection subject to conditions. The proposal is
therefore considered to be acceptable with regards to car parking, capacity and highway safety and would comply with PPS3 and the SPPS.

### Impact on amenity of neighbouring properties and future occupants

Due to the small scale nature and positioning of the roof extensions, it would not cause a significant loss of light and overshadowing to neighbouring properties. The surrounding properties are primarily of a commercial nature and as such no concerns are raised in respect of overlooking or loss of privacy.

It is acknowledged that the proposal involves the creation of a rooftop bar which has the potential for noise disturbance. However, there are no residential properties in close proximity to the application site and given the commercial nature of the area, it is not considered that it would have a detrimental impact upon amenity. The most sensitive receptors would be guests within the hotel, however this is a matter for the applicant to ensure that noise and any anti-social behaviour is appropriately managed. Environmental Heath were consulted on the application and considered the proposed development in terms of noise, air pollution, general amenity, ambient air quality and contaminated land and have advised that they have no objection.

### Flooding

The application site lies within the 1 in 200 year coastal flood plain of Belfast Lough. Whilst the proposal does not fall neatly into one of the exceptions specified under Policy FLD1 for development within the coastal flood plain, weight must be attached to the fact it involves a change of use to an existing building within the city centre and no guest accommodation is located on the ground floor with all bedrooms on the 1st floor and above. It is therefore considered that the proposal is in broad compliance with Policy FLD 1 and the SPPS which was the approach accepted under the planning application for the neighbouring hotel under reference LA04/2015/0675/F. Subsequently an updated Floor Risk Assessment (FRA) has been submitted based on the FRA for the existing hotel which was deemed acceptable. This is currently being reviewed by the Rivers Agency and their response will be reported as an update to committee. The proposal is considered to comply with PPS15 and the SPPS.

### Conditions:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: Time Limit.

2. The development hereby permitted shall not commence until details and/or samples and a written specification of the materials to be used in the external elevations, have been submitted to an approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details.

   Reason: To protect the visual amenities of the area including the conservation area.

3. The development hereby permitted shall not commence until soft landscaping details of the roof planting has been submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes and numbers of trees/ shrubs and hedges to be planted. All landscaping shall be carried out in accordance with the approved scheme in the first planting season (November-March) following the occupation of the buildings or the completion of the
development whichever is the sooner and maintained thereafter. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and biodiversity and to preserve and enhance the character and appearance of the locality.

4. The development hereby permitted shall not become operational until an updated Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Travel Plan.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

5. The development hereby permitted shall not become operational until an updated Service Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Service Management Plan.

Reason: In the interests of road safety and the convenience of road users.

6. Doors shall not open out over the public footway.

Reason: In the interests of pedestrian safety.

Neighbour Notification Checked

Yes
## ANNEX

<table>
<thead>
<tr>
<th>Details of Neighbour Notification (all addresses)</th>
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</tr>
</thead>
<tbody>
<tr>
<td>The Owner/Occupier, 22, 28, 30, 35, 40, 42, Church Lane, Town Parks, Belfast, Antrim, BT1 4QN, 43-45, 46, 55, 57-59, 60-62, 63, 64, 66, 70-74, 75-81, 76, 80, Ann Street, Town 83, 85 Victoria Street, Town Parks, Belfast, Antrim, BT1 4PB, Canston House, 38 Church Lane, Town Parks, Belfast, Antrim, BT1 4QH, Lagan House, 79 Victoria Street, Town Parks, Belfast, Antrim, BT1 3GN, St George's Parish Church (c Of I), High Street, Town Parks, Belfast, Antrim, BT1 2AG,</td>
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| Date Valid | 7th March 2017 |
| Date First Advertised | 17th March 2017 |
| Date Last Advertised | 5th May 2017 |
| Date of Last Neighbour Notification | 10th May 2017 |
| Date of EIA Determination | N/A |
| ES Requested | No |

| Drawing Numbers and Title: 01, 07, 08, 09, 10A, 11A, 12 |  |
## Development Management Officer Report
### Committee Application

<table>
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<tr>
<td><strong>Committee Meeting Date:</strong> 20 June 2017</td>
</tr>
<tr>
<td><strong>Application ID:</strong> LA04/2017/0963/LBC</td>
</tr>
<tr>
<td><strong>Proposal:</strong> Removal of existing reception counter on the ground floor main entrance rotunda area and replacement with a Memorabilia Exhibition retail reception counter to Ground Floor Entrance Rotunda Area</td>
</tr>
<tr>
<td><strong>Location:</strong> Belfast City Hall</td>
</tr>
<tr>
<td><strong>Donegall Square</strong></td>
</tr>
<tr>
<td><strong>Belfast</strong></td>
</tr>
<tr>
<td><strong>BT1 5GS</strong></td>
</tr>
<tr>
<td><strong>Referral Route:</strong> Belfast City Council Application</td>
</tr>
<tr>
<td><strong>Recommendation:</strong> Grant Consent</td>
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</tbody>
</table>

The main issue to be considered is the effect of the proposal upon the character and appearance of the Grade A listed building.

Historic Environment Division was consulted and offered no objection to the proposal.

It is considered that the proposal satisfies the requirements of PPS6: Planning, Archaeology and the Built Heritage and the Strategic Planning Policy Statement for Northern Ireland (SPPS).

**Recommendation – Grant Consent**
Characteristics of the Site and Area

1.0
1.1 Description of Proposed Development
Listed building consent is sought for the removal and replacement of a reception counter within the rotunda of the City Hall.

2.0
2.1 Description of Site.
The site for the new reception counter is within the rotunda of the City Hall, Belfast City Council’s Grade A listed building.

Planning Assessment of Policy and other Material Considerations

3.0
3.1 Planning History
No relevant planning history.

4.0
4.1 Policy Framework
Draft Belfast Metropolitan Area Plan 2015
Strategic Planning Policy Statement for Northern Ireland (SPPS)
PPS6: Planning, Archaeology and the Built Heritage

5.0
Statutory Consultee Responses
Historic Environment Division (HED) – No objection

6.0
Non Statutory Consultees Responses
N/A
7.0 **Representations**
7.1 The proposal has been advertised in the local press – no third party comments have been received to date.

8.0 **Other Material Considerations**

9.0 **Assessment**
9.1 The key issue in the assessment of this Listed Building Consent application is consideration of any potential impact on the Grade A listed building.
9.2 The proposed works include the removal of existing reception counter on the ground floor main entrance rotunda area and replacement with a Memorabilia Exhibition retail reception counter to Ground Floor Entrance Rotunda Area. The new reception desk will be manufactured from walnut oak. The new reception counter will have a decorative kick plate all around to be manufactured from brushed bronze to match existing ironmongery in the surrounding area. A gondola unit on casters is also proposed to allow it to be removed when not in use.
9.3 It is considered that the proposal complies with relevant parts of the SPPS. Paragraphs 6.12 to 6.15 refers to listed buildings and calls for care to be taken to protect these buildings of special architectural and historic buildings. The works that are proposed to replace an existing reception counter with a new reception counter will not impact the fabric of the building and historic features.
9.4 Policy BH 8 of PPS 6 sets out three key design requirements; the character of the building is retained; sympathetic materials and techniques are used; and architectural details match existing. The works proposed will be in keeping with the policy requirements, the works do not involve the removal of existing fabric. Some of the units proposed are freestanding and supported on casters – they are not fixtures and are seen as pieces of moveable furniture. Historic Environment Division (HED) has considered the proposal and offered no objection.
9.5 It is considered that the proposal satisfies the requirements of PPS6: Planning, Archaeology and the Built Heritage and the Strategic Planning Policy Statement for Northern Ireland (SPPS).

10.0 **Summary of Recommendation: Grant Consent**

10.1 Having regard to the policy context above, the proposal is considered to be acceptable and listed building consent is recommended subject to the following condition.

11.0 **Conditions**
11.1 The works hereby permitted shall be begun not later than the expiration of 5 years beginning with the date on which this consent is granted.

    Reason: As required by Section 94 of the Planning Act (Northern Ireland) 2011

**Signature (s)**

**Date:**

**Page 207**
<table>
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<td>Drawing Numbers and Title</td>
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<tr>
<td>01 – Site Location Plan</td>
<td></td>
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<td>02 – Proposed Layout and Elevations</td>
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<td>Response of Department:</td>
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## Summary

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<td>Application ID: LA04/2016/0041/F</td>
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<table>
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<tr>
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<tr>
<td>Lagan gateway project includes: the provision of a new boat lock at Stranmillis to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis and paths to Belvoir Park. Works involve working in the river Lagan near an existing weir and fish pass and constructing a footbridge near a scheduled monument area (historical lock) (Environmental Statement received)</td>
<td>Site located at the weir at Stranmillis near Belfast Boat Club BT9 5FJ</td>
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<th>Recommendation: Approval</th>
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<table>
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<tr>
<th>Applicant Name and Address: Belfast City Council Adelaide Exchange 24-26 Adelaide Street Belfast BT1 5GS</th>
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<table>
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<tr>
<th>Agent Name and Address: McAdam Design Ltd 1c Montgomery House 478 Castlereagh Road Belfast BT5 6BQ</th>
</tr>
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</table>

## Executive Summary:

The application seeks full planning permission for the provision of a new boat lock to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis. In addition landscaping is proposed throughout the scheme including an area northeast of the footbridge which will include picnic tables and cycle stands.

The main issues to be considered in this case are:
- The principle of the proposed use at this location
- Design and impact on the character of the area; and
- Environmental Impacts of the proposal.

The proposed development is located within a number of designated sites dominated by the River Lagan corridor. These include the Lagan Valley Regional Park, the Lagan Valley AONB and a Site of Local Nature Conservation Importance. The area is long established as a recreational area, the proposal aims to enhance this thus the proposal is considered acceptable at this location.

The proposal has been assessed against the following Policies – Strategic Planning Policy for Northern Ireland, Belfast Urban Area Plan 2001, BMAP (draft), Planning Policy Statement 2: Natural Heritage (PPS2); Planning Policy Statement 3 – Parking, Access and Movement, Planning Policy Statement 6 – Archaeology and the Built Heritage, Planning Policy 8: Recreation and Open Space (PPS8); Planning Policy Statement 15: Planning and Flood Risk (PPS15) and Planning Policy Statement 21 – Sustainable Development in the Countryside

HED, Environmental Health, TNI, DAERA and Rivers Agency were consulted and offered no
objections to the proposal, standard conditions are to be applied. In the absence of a response from NIEA the final wording of conditions shall be delegated to the director of Planning and Place.

One representation was received from Lagan Rivers Trust regarding adversely impact on flora and fauna. All issues considered

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions set out below.
### Description of Proposed Development

Planning permission is requested for the provision of a new boat lock to allow the passage of boats past the weir, new footbridge and path linking Annadale embankment with Stranmillis.

### Description of Site

The site is located along River Lagan towpath south west of Belfast Boat Club, Stranmillis. The site is primarily open space/recreational. The lands on the southern bank of the river are in agricultural use with pedestrian access and a network of informal pathways with no current linkage between both sides of the river. The west of the site is primarily residential with commercial and recreational land uses immediately to the north and north west of the site such as Cutters Wharf and Belfast Boat Club.

The proposed development is located within a number of designated sites dominated by the River Lagan corridor. These include the Lagan Valley Regional park, the Lagan Valley AONB and a Site of Local Nature Conservation Importance.
### Planning Assessment of Policy and other Material Considerations

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<th>Description</th>
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<tbody>
<tr>
<td>3.0</td>
<td><strong>Site History</strong>&lt;br&gt;No relevant planning history</td>
</tr>
<tr>
<td>4.0</td>
<td><strong>Policy Framework</strong>&lt;br&gt;4.1 Regional Development Strategy (RDS); Strategic Planning Policy Statement (SPPS)&lt;br&gt;Belfast Urban Area Plan 2001&lt;br&gt;Belfast Metropolitan Area Plan (2015) (draft)&lt;br&gt;Planning Policy Statement 2: Natural Heritage (PPS2);&lt;br&gt;Planning Policy Statement 3 – Parking, Access and Movement&lt;br&gt;Planning Policy Statement 6 – Archaeology and the Built Heritage&lt;br&gt;Planning Policy 8: Recreation and Open Space (PPS8);&lt;br&gt;Planning Policy Statement 15: Planning and Flood Risk (PPS15)&lt;br&gt;Planning Policy Statement 21 – Sustainable Development in the Countryside</td>
</tr>
<tr>
<td>5.0</td>
<td><strong>Statutory Consultees Responses</strong>&lt;br&gt;5.1 NIEA – awaiting outline Construction Environmental Management Plan&lt;br&gt;TNI – No objection&lt;br&gt;Rivers Agency – no objection&lt;br&gt;HED – awaiting info&lt;br&gt;DAERA – Air and Environmental Quality – no objection&lt;br&gt;DAERA – Fisheries Division – no objection</td>
</tr>
<tr>
<td>6.0</td>
<td><strong>Non Statutory Consultees Responses</strong>&lt;br&gt;6.1 Environmental Health – awaiting response&lt;br&gt;Northern Ireland Transport Holding Company – no reply&lt;br&gt;Lagan Valley Regional Park Office – advice offered&lt;br&gt;Shared Environmental Services - awaiting.</td>
</tr>
<tr>
<td>7.0</td>
<td><strong>Representations</strong>&lt;br&gt;7.1 Objection Lagan Rivers Trust</td>
</tr>
<tr>
<td>8.0</td>
<td><strong>Other Material Considerations</strong>&lt;br&gt;8.1 AONB&lt;br&gt;SLNCI</td>
</tr>
</tbody>
</table>
| 9.0     | **Assessment**<br>9.1 The key issues in the assessment of the proposed development include:<br>- The principle of the proposed use at this location<br>- Design and impact on the character of the area; and<br>- Environmental Impacts of the proposal.<br>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 consideration indicate otherwise.<br>9.3 The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result
of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.

9.4 The application seeks permission for a new boat lock located upstream from the existing weir on the southern side of the river, this will require excavation of an existing inlet on the southern bank. The lock will measure approximately 35m in length with a channel width of 5m. A footbridge is proposed for pedestrians and cyclists between the northern and southern shore of the river lagan. The bridge will comprise of a bridge deck across the river supported by two reinforced concrete abutments and two reinforced concrete piers. It will be constructed of steel deck plates and will have a total span of 105m and 3.5m wide with a 1.1m high stainless steel rail.

9.5 Pedestrian pathways will be created on both sides of the river along with two pontoons – one upstream and one downstream of the proposed lock. A canoe launch shall be located on the northern shore of the river on the western side of the footbridge.

9.6 In addition landscaping is proposed throughout the scheme including an area northeast of the footbridge which will include picnic tables and cycle stands.

The principle of the proposed use at this location

9.7 The site is located just outside of the development limits, the proposal forms part of a wider scheme to develop a gateway for Lagan Valley Regional Park which will serve as initial step of opening up the lagan for navigation. The site is already established as recreational/open space and thus the principle of development at this location is considered acceptable. The proposal will result in better utilisation and connection of the space and will not adversely affect the character of the area.

Design and impact on the character of the area

9.8 The site is located within Lagan Valley Regional Park and Lagan Valley Area of Outstanding Natural Beauty, it is a well utilised riverside recreational area which makes a valuable contribution to the designations. A small section to the north of the site is designated as a node within the park. Planning permission will be granted for development proposals for recreation and tourist facilities provided they meet criteria. The proposal is sensitively located and will not have a significant adverse effect on the character of the park. It is of appropriate scale and high quality design with appropriate use of materials, all areas of open space are protected and it will make a positive contribution to the parks recreational function thus complying with Policy COU 11.

9.9 Draft BMAP and Belfast Urban Area Plan refer to Lagan Valley Regional Park and the need to protect and enhance the scenic character and recreational potential whilst conserving its essential character. Policy COU 12 in Part 3, Volume1 of BMAP and Policy R4 of BUAP seeks to balance a presumption in favour of urban development with need to protect and enhance the Park’s character in an environmentally selective manner, and to resist pressure from inappropriate development. The development is sensitively sited, it will enhance the physical environment through high quality landscaping and will provide an attractive focal point whilst increasing capacity for recreation.

Environmental Impacts of the proposal.

9.10 The application is accompanied by an Environmental Statement as the development falls within Schedule 2, Part 10 (B) of the Planning (Environmental Impact Assessment) NI and the site is greater than 0.5ha. The following elements have been assessed within the statement:
- Contaminated land
- Landscape and visual impact
- Noise and vibration
- Ecology
- Cultural heritage
- Flooding
- Water quality
- Socio economics

**Contaminated land** – Environmental Health had initial concerns regarding the potential for contaminated land in proximity to the site to impact on human health. The contaminated land reports noted high levels of lead. As such a remediation strategy was submitted and Planning Service are awaiting a response from Environmental Health. In the absence of a response the final wording of conditions shall be delegated to the director of Planning and Place.

**Noise and vibration** – a noise and vibration assessment is detailed within the statement, with respect to the construction and operation of the proposal. The nearest property is located approximately 10m from the site boundary. The report states that there will be no impact from operational noise and as such no mitigation measures have been recommended. Environmental Health are content with the report but have requested a Construction Noise Management Plan prior to development commencing.

**Flooding** – The proposal has also been assessed against Policy FLD 3 of PPS15. A drainage assessment was submitted for Rivers Agency consideration, consequently they have no objection to the proposal. Flood maps indicate that the site is not affected by fluvial flooding and storm water will be discharged into drains and the River Lagan.

**Water quality** – the development has potential to impact on water during the construction and operational phases and as such the ES contains an assessment outlining mitigation measures. Water Management Unit were consulted on the application and have requested a Construction Method Statement to ensure all risks are minimised.

**Built heritage** – the site contains a section of the Lagan Navigation, a monument of regional importance which is assessed under Policy BH 1 of PPS 6. HED are content with the proposal in principle, initially they had concerns regarding the realignment of the existing towpath and requested a scheduled monument consent for the proposed canoe viewing deck. Amended plans were submitted illustrating the retention of the existing towpath and the omission of the viewing deck. To date Planning Service are awaiting HED response, in the absence of a response the final wording of conditions shall be delegated to the director of Planning and Place. The amendments aim to remove any potential for impacts on any remains of regional importance.

**Landscape and Visual** – the existing landscape and its use has been established. The proposed development will be located within the River Lagan corridor landscape, the built elements such as the footbridge, pontoons and boat lock will be prominent within the landscape however they will have short range views and will not have a detrimental visual impact due to the nature, design and scale of the proposal. There are a number of residential properties within the vicinity however these are well screened by dense mature vegetation along the site boundary.

The site is located within Lagan Valley Area of Outstanding Natural Beauty. A landscape and visual assessment has been submitted showing 4 critical view points, two north of the site, one from the east across the river and one from the south looking downstream. Given the nature and location of the proposal the views will be restricted to pedestrians and cyclists only. It is considered the impact on the AONB will be minor and the area has the capacity to absorb the development.
9.18 Ecology – the majority of the site is located within Belvoir Site of Local Nature Conservation Importance (SLNCI) with a section along the west of the river contained within Lagan Meadows SLNCI. An Ecological Impact Assessment was conducted as part of the ES which found no significant impact on the local ecological environment. With mitigation measures the proposed development will not result in significant, long lasting or permanent effects on the SLNCI. Policy NH 4 of PPS 2 refers to SLNCI, any proposal will not be permitted which will have a significant adverse impact on the SLNCI. NIEA were consulted on the application and state that the site is hydrologically connected to Belfast Lough SPA, Belfast Lough Open Water SPA and Inner Belfast Lough ASSI. These sites are protected by Conservation (Natural Habitats) Regulations (Northern Ireland) 1995 and The Environment (Northern Ireland) Order 2002. NIEA have requested an outline Construction Environmental Management Plan and a proposed storm drainage plan in order to undertake a robust Habitats Regulations Assessment. This is currently under review, in the absence of a response the final wording of conditions shall be delegated to the director of Planning and Place.

9.19 Representations
Lagan Rivers Trust have objected to the application. They state that the development has the potential to cause deterioration of the status of the River Lagan due to damage to plant, invertebrate and fish species due to boat traffic. The application is accompanied with an Environmental Statement which has fully assessed all the potential impacts of the proposal and all mitigation measures. The various consultees listed above have confirmed that the proposal will not result in an unacceptable Environmental Impact subject to conditions and/or informatives. Rivers Agency, and Inland Fisheries are satisfied that the proposal will not adversely impact on flora and fauna, or other aspect of the aquatic environment. Rivers have also confirmed that the proposal will not result in or be subject to Flood Risk and accordingly the proposal is considered compliant with PPS15.

10.0 Summary of Recommendation: Approval
10.1 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.

10.2 The proposal is located within an established recreational area and is compliant with policy. The development respects the surrounding context and is of appropriate scale massing and of high quality design. Consultees are satisfied that the proposal will not result in any adverse Environmental Impacts.

10.3 Statutory and non-statutory consultees have offered no objections subject to the conditions outlined below. Approval is recommended.

11.0 Conditions
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. A Detailed Construction Method Statement for in / near water works must be submitted to the Department, for consultation with NIEA Water Management Unit, at least 8 weeks prior to the commencement of construction.
Reason: To ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

3. If during the development works, new contamination and risks are encountered which has not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented to its satisfaction.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

4. After completing any remediation works required under Condition 3, and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11). The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

5. Prior to the development commencing, a Construction Noise Management Plan shall be developed and submitted for review and approval by Belfast City Council’s Environmental Protection Unit. This plan should incorporate the recommended mitigation measures outlined in the RPS Noise and Vibration Impact assessment in section 5 of the Environmental Statement Volume 1 dated July 2016 report no :NI 1684. It should outline the methods to be employed to minimise any noise and vibration impact of construction operations demonstrating ‘best practicable means’. The plan should pay due regard to BS 5228:2009 Noise and Vibration Control on Construction and open Sites and include a detailed programme for the construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and evidence of neighbour liaison. The construction works should be carried out in line with the agreed Construction Noise Management Plan.

Reason: In the interests of amenity

6. No lighting equipment shall be erected onto the foot and cycle bridge hereby permitted unless a lighting plan is submitted and agreed in writing by Belfast Planning Service and verified with NIEA NED. The lighting shall be installed and operated in accordance with the agreed arrangements.

Reason: In order to prevent disturbance to European Protected Species.

7. There shall be no lighting from the bridge directed onto the River Lagan water surface at any time.

Reason: To prevent disturbance to European Protected Species.
<table>
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<tr>
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**Details of Neighbour Notification** (all addresses)

1 Laganvale Manor, Malone Lower, Stranmillis, Belfast, Antrim, BT9 5BE,
102, 104 Sharman Road, Malone Lower, Belfast, Antrim, BT9 5HE,
2, 5, 6, 7, 8, 12, 14, 15, 37, 38 Laganvale Manor, Malone
Cutters Wharf, Lockview Road, Malone Lower, Belfast, Antrim, BT9 5FJ

| **Date of Last Neighbour Notification** | 6th September 2016 |
| **Date of EIA Determination**           | 15-01-16           |
| **ES Requested**                        | Yes                |

**Drawing Numbers and Title**

01 – site location plan
03(a) – Landscaping
04 – landscaping
05 – Landscaping
06 – Landscaping
07 – Landscaping
08(a) – Proposed plan route and sections
09 – Proposed bridge general arrangement
10 – Proposed lock general arrangement
11 – Proposed pontoon general arrangement
12 – Storm drainage details
13 – Bridge elevation
14 – Illustrative concept masterplan
15 - Illustrative concept masterplan
16 – Proposed bridge artists impression
Subject: Listing of Building

Date: Tuesday, 20 June 2017

Reporting Officer: Phil Williams, ext 2300

Contact Officer: Robert Kennedy, ext 2294

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<th>Is this report restricted?</th>
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<td>Is the decision eligible for Call-in?</td>
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1.0 Purpose of Report or Summary of main Issues

1.1 Correspondence has been received from the Northern Ireland Environment Agency (NIEA) regarding the proposed listing of buildings in Belfast. Article 80 (3) of the Planning Act (NI) 2011 requires the agency to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

2.0 Recommendations

2.1 Committee is requested to:
- note the contents of Appendix 1; and
- support the proposed listings of the buildings detailed in paragraph 3.5 of this report

3.0 Main report

3.1 The Second Survey of all of Northern Ireland's building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. This second survey is due to be completed in 2016.

3.2 In considering whether to include a building as Listed, the Department (NIEA) takes into account the architectural and historic interest of a structure and is also given the power to consider:
- any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and
- the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the
Should the Department for Communities decide to list, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.

The summaries set out in Appendix 1 for the proposed listed buildings are taken from the property evaluation and detail the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed buildings in Northern Ireland.

The Department based on the completion of detailed surveys, is currently considering the listing of the following properties and has requested the Council’s comments in this regard:

- 8 Bladon Park, Belfast, BT9 5LH
- 14 – 16 Bladon Park, Belfast, BT9 5LH
- 34 Windsor Park, Belfast, BT9 6FQ

It is recommended that the Committee in recognition of the heritage value, as set out in the Appendix 1, supports the proposed listing by the Department for Communities.

**Financial & Resource Implications**

None

**Equality or Good Relations Implications**

None

### Appendix 1: Property Evaluations

### Appendix 2: Images
APPENDIX 1: Property Evaluations

Background

The Second Survey of all of Northern Ireland’s building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. This second survey is due to be completed in 2016.

In considering whether to include a building as Listed, the Department (NIEA) takes into account the architectural and historic interest of a structure and is also given the power to consider:

- any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and

- the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.

Should the Department for Communities decide to list, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.

The summaries below are taken from the property evaluation and detail the assessment in relation to the class of listing proposed.

1. **8 Bladon Park, Belfast, BT9 5LH - (HB26/17/023 A)**

   8 Bladon Park is one of a handsome and imposing pair of semi-detached villas, built in the late 1870s to designs by William Batt, who designed several large residences in the Malone area. The villas are a good example of Batt’s preferred High Victorian style, defined by finialled gables and polychrome brick tempered with sandstone dressings; the detailing is not as ornate as built, following significant fire damage in the late nineteenth century, which pierced bargeboards were replaced with a plainer style. Nonetheless, the pair are well-proportioned and retain a largely original aspect with consistent detailing. No. 8 has recent glazed additions, but these have been designed in a sympathetic style which does not detract from the special architectural interest of the house. The pair are prominently located on the main road, within Malone Conservation Area, and are much enhanced by a fine mature setting with some boundary features intact, and the original gate lodge, which is located at the corner of Bladon Park. Historically the villas are representative of the development of prestigious suburbs to the south of Belfast city, to accommodate the city’s wealthiest citizens. The house has associations with Charles Henry Brett, founder of well-regarded Belfast law firm, L’Estrange and Brett.

   No. 8 Bladon Park has group value with its neighbour No. 14 – 16 Bladon Park (HB26 17 023B) and its original gate lodge 1 Bladon Park (HB26 17 024).

   Proposed NIEA listing – B1

   Extent of proposed Listing: – House (currently not listed)
2. **14 - 16 Bladon Park, Belfast, BT9 5LH - (HB26/17/023 B)**

14 – 16 Bladon Park is one of a handsome pair of semi-detached villas, built in the late 1870s to designs by William Batt, who designed several large residences in the Malone area. The villas are a good example of Batt’s preferred High Victorian style, defined by finialled gables and polychrome brick tempered with sandstone dressings. The pair are well-proportioned and retain a largely original aspect with consistent detailing. Although subdivided into two separate dwellings, this has been carried out with little disruption to the original layout, and so is not considered to detract unduly from the special interest of the house. The pair are prominently located along the main road, within Malone Conservation Area, and are much enhanced by a fine mature setting with some boundary features intact, and the original gate lodge, which is located at the corner of Bladon Park. Historically the villas are representative of the development of prestigious suburbs to the south of Belfast city, to accommodate the city’s wealthiest citizens. No. 14 – 16 Bladon Park has group value with its neighbour no. 8 Bladon Park (HB26 17 023A) and its original gate lodge 1 Bladon Park (HB26 17 024).

Proposed NIEA listing – **B1**

Extent of proposed Listing: – **House** (currently not listed)

3. **34 Windsor Park, Belfast, BT9 6FQ - (HB26/28/075)**

Three storey red brick detached house, built c. 1893 to designs by William Batt, architect. Facing south of Windsor Park, it has group value with the pair of semi-detached houses immediately adjacent at No’s 30& 32 and the terrace at Nos. 22 – 28 (HB26 28 073 and HB26 28 074 respectively), all contemporary with this house, and by William Batt. Together they make a striking contribution to the Derryvolgie and Windsor conservation Area, eclectic in style and confident in execution. Whilst sharing the decorative detailing and dormers of its neighbours, No. 34’s unusual proportions – with a particularly strong vertical emphasis to the principal façade more commonly adopted in a terraced house – give the house an individual quality. Very minor modern interventions. Original fabric, layout and detailing substantially intact. A good example of its time with fine terracotta detailing that significantly enhances its interest. Stone entrance steps and brick gate pillars, together with the surrounding matures mature trees and landscaping further augment its character.

Proposed NIEA listing – **B1**

Extent of proposed Listing: – **House, steps and brick pillars** (currently not listed)

**Note:**

Listed buildings in Northern Ireland are divided into four categories:

**Grade A**

Special buildings of national importance including both outstanding grand buildings and the fine, little altered examples of some important style or date.

**Grade B+**

Special buildings that might have merited A status but for relatively minor detracting features such as impurities of design, or lower quality additions or alterations. Also buildings that stand out
above the general mass of grade B1 buildings because of exceptional interiors or some other features.

**Grade B1 and B2**

Special buildings of more local importance or good examples of some period of style. Some degree of alteration or imperfection may be acceptable.
Appendix 2: - Images

1. 8 Bladon Park, Belfast, BT9 5LH - (HB26/17/023 A)
2. 14 - 16 Bladon Park, Belfast, BT9 5LH - (HB26/17/023 B)
3. 34 Windsor Park, Belfast, BT9 6FQ - (HB26/28/075)
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1.0 Purpose of report or summary of main issues

1.1 The Department for Infrastructure (the Department) is consulting the eleven councils on a new Performance Management Framework for Planning in Northern Ireland. This report provides the Committee with an overview of the proposed Framework, identifies key issues, and makes recommendations as to the Council’s response to the consultation. A copy of the proposed Framework is provided in full at Appendix 1.

2.0 Recommendations

2.1 That the Committee agrees to respond to the consultation in the form of the draft letter at Appendix 3.

3.0 Main report

3.1 Background

The Department measures the performance of council planning services in Northern Ireland according to three key statutory performance indicators. These are:

i) Average processing time for Major applications – target of 30 weeks
ii) Average processing time for Local applications – target of 15 weeks
iii) Proportion of enforcement complaints concluded within 39 weeks – target of 70%

The Department intends to introduce a new performance management framework for
| 3.2 | planning in Northern Ireland to drive improved performance and improve service delivery. To support this work, the Department has appointed Mark Hand, Director of Planning at Monmouthshire Council, to act as a consultant. Mark Hand has been involved in the development of a performance management framework for local planning authorities in Wales and the aim is to share learning. A copy Mark Hand’s consultancy report is provided at Appendix 2. As part of the process, the Department has held workshops with the Heads of Planning for the 11 councils, which has informed development of the framework. |
| 3.3 | On 12 May 2017, the Department issued a draft of the Performance Management Framework for consultation with the 11 councils. The Committee is asked to agree Belfast City Council’s response to the consultation. The Department intends to commence monitoring of most of the new performance indicators in the Framework from 01 April 2017, with the first quarterly report issued after June. |
| 3.5 | **Key issues** Members are advised that the three existing statutory performance indicators for planning (set out at par. 3.1 above) have the following limitations: |
|   | - The two categories of planning applications – Local and Major applications – are too broad for the statistics to be particularly useful. For example, the definition of a Local application ranges from a small domestic extension to a new residential estate of 49 houses. By way of comparison, local planning authorities in England and Wales are measured according to their performance on three categories of application: Major, Minor and Other applications. These are then broken down by type of development and scale. The Planning Service intends to implement more detailed Key Performance Indicators (KPIs) but its ability to do so is limited by the existing Planning Portal (the Planning Service’s back-office planning software); |
|   | - The average processing time for applications includes withdrawn applications. Such applications can only be withdrawn by the applicant and are not decisions made by the council. Very often applications are withdrawn because there is a problem with them which cannot be resolved. It is inappropriate to include withdrawn applications in the performance returns because councils have no power to determine whether an application is withdrawn or not. To include withdrawn applications penalises councils for an outcome that is outside of their control; |
|   | - The average processing time also includes Legacy applications. These are applications that councils inherited on transfer of planning powers from the former Department of Environment in April 2015. By including Legacy applications, the |
Council is not being measured solely through its own performance, but also by the performance of the former Department which is unreasonable;

- There is no ability to agree to extend the application determination period with the applicant, unlike in England and Wales. This creates inflexibility in the system. It effectively penalises councils for negotiating with applicants, working proactively with them to try to resolve issues, which often leads to revised information and longer decision times. A narrow focus on speed of decision can drive perverse behaviour through a “pass or fail” approach to decision making, which can compromise the quality of proposals and frustrate customers. The ability to agree an extension of the determination period with the applicant removes this pressure and provides the planning process with more flexibility in working through issues with customers, which is something they generally want;

- The current statutory performance indicators make no allowance for planning applications that require a Section 76 Planning Agreement. The Committee will be aware of the Planning Service’s excellent work in securing around £3 million in developer contributions since transfer. Belfast City Council is the only council in Northern Ireland that is collecting developer contributions, which will be used to support new infrastructure in the city. Applications requiring a Planning Agreement cannot be decided until the Planning Agreement has been signed. Sometimes this can take weeks, or even months, after the resolution to grant planning permission has been made. The consequence is that applications requiring a Planning Agreement result in longer determination times. The Council is in effect being penalised for its performance for the very good work it is doing in securing developer contributions for the city.

The Planning Service’s performance returns for 2016/17 were an average processing time of 61 weeks for Major applications; 15.6 weeks for Local applications; and 75% of enforcement cases concluded within 39 weeks. However, as demonstrated above, these performance returns do not represent a fair picture of performance because they include Legacy applications; permissions subject to a Section 76 planning agreement; and do not permit the council to agree an extension of time with the applicant. Members should note that recent performance has been strong. During 2016/17 Q4, the average processing time for Major applications was 29.8 weeks (within target). Excluding those applications that required a Section 76 planning agreement, the average processing time was 22 weeks. The Committee will be aware of the Improvement Plan for Development Management and the ongoing commitment to improving performance within the service, including the recent
3.7 It is very evident that a more measured approach needs to be taken by the Department to the assessment of planning performance across the 11 councils. The introduction of a new performance management framework for planning in Northern Ireland provides an opportunity to do this and is therefore welcomed in principle. The new performance framework should go in tandem with development of the Council’s own detailed performance management strategy for planning applications, including internal Key Performance Indicators.

3.8 Performance Management Framework

The Department’s draft Performance Management Framework (the Framework) recommends 20 new performance indicators across the following areas:

- Plan making
- Efficiency
- Quality
- Engagement
- Enforcement
- Strategic Planning Division
- Outcomes

3.9 The 20 performance indicators (PIs) are discussed in turn as follows. The outcome is the recommended consultation response at Appendix 3.

Plan Making

3.10 Performance Indicator 1a) – Has the Council had its Statement of Community Involvement (SCI) agreed by the Department?

Commentary: There is a statutory requirement for councils to publish a Statement of Community Involvement, which sets out how they will engage on planning matters. The Council published its SCI in June 2016 and would score “Yes” to this PI. The introduction of this PI raises no issues.

3.11 Performance Indicator 1b) – Has the Council published its Preferred Options Paper?

Commentary: There is a statutory requirement for councils to publish a Preferred Options Paper as part of the Local Development Plan process. The Council published its Preferred Options Paper (POP) in January 2017 and would score “Yes” to this PI. The introduction of
Performance Indicator 1c) – Has the Council published its Plan strategy?
Commentary: There is a statutory requirement for councils to publish a Plan Strategy as part of the Local Development Plan process. The Council has yet to publish a Plan Strategy because it has only recently published its POP and it is too early in the process. The Council would score “No” to this PI. The introduction of this PI raises no issues.

Performance Indicator 1d) – Has the Council published its Local Policies Plan?
Commentary: There is a statutory requirement for councils to publish a Local Policies Plan as part of the Local Development Plan process. The Council has yet to publish a Local Policies Plan because it is too early in the process. The Council would score “No” to this PI. The introduction of this PI raises no issues.

Performance Indicator 2) – Has the Council submitted its local development plan (LDP) Annual Monitoring Report?
Commentary: There is a statutory requirement for councils to publish an Annual Monitoring Report as part of the Local Development Plan process. This PI only relates to new Local Development Plans and the Council would therefore score “Not applicable” to this PI. The introduction of this PI raises no issues.

Efficiency

Performance Indicator 3 – Average processing time to determine major applications
Commentary: Major planning applications processed from date valid to decision or withdrawal within an average of 30 weeks. This indicator is flawed because it includes Legacy applications and excludes withdrawn applications. Performance Indicator 3 is the first of the three pre-existing statutory performance indicators. It is understood that the Department is retaining these statutory performance indicators because they are set out in statute in the Local Government (Performance Indicators and Standards) (Northern Ireland) Order 2015. On this basis, there is no issue with PI3 although it should be phased out when the Order is reviewed. The Council should object to the Department’s bench-marking of each council’s performance for the reasons set out in paragraph 3.16 below. The Department should also explain why 30 weeks has been set as the target.

Performance Indicator 4 – Average processing time to determine major applications
Commentary: This is essentially the same as PI3 above but excludes Legacy and withdrawn applications. This is welcomed. However, the Department should also exclude those applications requiring a Section 76 Planning Agreement. There should also be provision for agreeing an extension to the determination period with an applicant. In addition, the Department should measure the proportion (%) of Major applications determined within 30 weeks. This is the approach taken in England and Wales. Combined with the average processing time, this provides a more rounded overview of performance. In addition, a third category of application is recommended to record the performance of small-scale proposals such as householder, advertisement, Listed Building and Conservation Area Consent applications. This category could be called “Other” and would reflect the approach in England and Wales which have three categories of application. The Department recommends that performance is bench-marked using a red/amber/green traffic light system whereby red identifies that performance has fallen “below acceptable standard”; yellow indicates that the council should consider identifying and replicating examples of good practice from amongst peers; and green indicates good performance that sets an example to others. It is recommended that the Council strongly objects to the Department’s bench-marking of performance in this way. Firstly, no information has been provided as to what these standards would look like. Secondly, and more fundamentally, it should be for councils to decide what the performance standards for its planning service should be. Councils must balance speed of decision-making with the quality of both service to customers and the final decision. A complete focus on speed of decision can drive perverse behaviour as was the experience of many councils in England in the 2000s when councils were awarded Planning Delivery Grant by the Government for meeting speed of decision targets. Thirdly, councils’ performance is significantly constrained by the Planning Portal which does not allow councils to develop detailed Key Performance Indicators which are necessary for effective performance management. Furthermore, the limitations of the existing legislation do not support effective performance. For example, councils are unable to require all the information they need to determine an application at the beginning of the process. In England and Wales, councils have the power to make an application legally invalid if all the information necessary to make an effective decision is not provided – the determination period does not commence until all the necessary information has been submitted. The consequence of not having this power in Northern Ireland is that information is often submitted late and this causes delays in the planning application process.

Performance Indicator 5 – Average processing time to determine local applications
Commentary: Local planning applications processed from date valid to decision or withdrawal within an average of 15 weeks. This is the second of the three pre-existing statutory performance indicator, which the Department proposes to retain. This indicator is flawed because it includes Legacy applications and excludes withdrawn applications. Like Performance Indicator 3, there is no issue with its retention and it should be phased out when the Order is reviewed. The Council should strongly object to the Department’s benchmarking of performance for the reasons set out in paragraph 3.16. The Department should also explain why 15 weeks has been set as the target.

3.18  **Performance Indicator 6 – Average processing time to determine local applications (excluding legacy and withdrawn applications)**
Commentary: This is essentially the same as PI5 above but excludes Legacy and withdrawn applications. The same comments made in relation to PI4 apply to this indicator.

3.19  **Performance Indicator 7 – Average time taken to determine major legacy applications**
Commentary: The Department does not recommend a target for this because of the age of Legacy applications. The Council has reduced the number of Major Legacy applications received on transfer from 55 to 7. Given this small number and the age of these applications it is considered unnecessary to measure their average processing time. It would also result in unnecessary administrative burden for the Council. There is no need for PI7.

3.20  **Performance Indicator 8 – Average times taken to determine local legacy applications**
Commentary: Similar to the response to PI7 above. The Council has reduced the number of Local Legacy applications received on transfer from 414 to 16. Given this small number and the age of these applications it is considered unnecessary to measure their average processing time. It would also result in unnecessary administrative burden for the Council. There is no need for PI8.

**Quality**

3.21  **Performance Indicator 9 – % of applications determined under delegated powers**
Commentary: It is useful to know the overall proportion of applications that are determined under delegated powers. A Council’s Scheme of Delegation should strike an appropriate balance between ensuring that the Planning Committee has an oversight of the applications that are most appropriate for it to deal with, and sufficient levels of delegation to ensure fast and efficient decision making. However, there can be no target for this because the level of
delegation at each council will be influenced by a range of factors including the number of applications dealt with by each council, the issues relevant to the administrative area and the requirements of Members. Each council has its own scheme of delegation and therefore this indicator will vary from council to council. On balance, it is considered that PI9 is a useful performance indicator for councils to compare and contrast as they examine options for improving performance. The introduction of this PI raises no concerns.

3.22 **Performance Indicator 10 – % of applications approved**
Commentary: Combined with PI3-PI6 inclusive, it is possible to observe the balance of speed versus a positive/quality outcome. This PI also provides evidence that the planning system is not blocking development and economic growth. This indicator is collected by the Council already and raises no concerns. Ultimately, it will be very important for the Council to measure the % of applications approved by applicant type to help understand why performance is like it is and drive improvement. This will be introduced as a local KPI.

3.23 **Performance Indicator 11 – % of committee decisions made against officer recommendation**
Commentary: When read in conjunction with PI12 and PI13, the data provides a rounded picture of the quality of decisions, gives an indication of Member-Officer working relationships and could identify potential training needs. The Department should recognise that this indicator may be distorted if a council determines a relatively low number of applications at committee. The ability for a council to provide a narrative and explanation around all these Performance Indicators set out in the Framework is welcomed. This PI raises no concerns.

3.24 **Performance Indicator 12 – % of appeals against refusals of planning permission that are dismissed**
Commentary: It is important that the Council knows the proportion of appeals that are dismissed (the Council’s decision is upheld), and conversely the proportion of appeals that are allowed (the appellant’s case is accepted). This provides opportunity for learning and potentially identifies areas for training. This PI is collected by the Council already and raises no concern.

3.25 **Performance Indicator 13 – no. of appeal costs won**
Commentary: This measures the number of instances where costs were either awarded fully or partially in the council’s favour or wholly or partially against the council. The indicator measures the number of instances, not the amount of money. Appeal costs may be awarded
against either party for unreasonable behaviour. This indicator provides opportunity for learning and potentially identifies areas for training. This PI raises no concerns.

**Engagement**

**Performance Indicator 14 – Does the council allow public speaking at planning committee?**

Commentary: It is recognised best practice to allow public speaking at the planning committee. The detail of how this operates should be for each council to decide. The Council would score “Good” for this PI because it permits public speaking. This PI does not raise any concerns.

**Performance Indicator 15 – Does the council have a planning officer on duty to provide general planning advice to customers?**

Commentary: It is considered best practice to offer a duty planning officer service to provide general planning advice to customers. The possible scores for this indicator are “No”, “Partial” and “Yes”. The Council provides a duty planning officer service during normal workday hours and would score “Yes” for this PI. This PI does not raise any concerns.

**Enforcement**

**Performance Indicator 16 – Proportion of enforcement cases progressed to the target conclusion within 39 weeks**

Commentary: This is essentially the third pre-existing statutory performance indicator and the Department proposes to keep it. This indicator ensures that the focus is on resolution rather than closure of cases and allows sufficient engagement and monitoring without having undue impact on statistics. Its retention raises no issues. The Planning Service will examine more detailed internal Key Performance Indicators to help manage performance within the enforcement team when the Planning Portal is replaced and it can do so. The Council strongly objects to the bench-marking of performance at this time for the reasons set out in paragraph 3.16. The Department should explain why 39 weeks has been set as the target.

**Strategic Planning Division**

**Performance Indicator 17 – Contribute to sustainable economic growth by progressing all regionally significant applications to a Ministerial recommendation within 30 weeks of receipt of the application (or environmental statement, where applicable).**

Commentary: This relates to the performance of the Department in determining regionally
significant planning applications. The processing target of 30 weeks assumes that the application has been subject to pre-application discussion with satisfactory draft information provided and are not subject to a request for further environmental information. Such a request would extend the target by 30 weeks upon receipt of the information. This PI, which will measure the Department’s performance, is welcomed in principle. However, it is noted that the 30-week target only applies if the application follows a successful Pre-Application Discussion and no further environmental information is required during the application process. If such information is required, then the 30-week target would be extended. This establishes a different set of rules for the Department when compared to the councils. In meeting the 30 and 15-week targets for Major and Local applications, PI3 to PI6 (which measure council performance on applications) do not require a successful Pre-Application Discussion or sufficient information to be provided with an application as prerequisites to the targets being met. The same rules should apply to both councils and the Department. With this in mind, the ability for both the Department and Council to agree an extension to the determination period with the applicant would provide such parity as well as consistency with English and Welsh planning systems.

Outcomes

3.30 Performance Indicator 18 – Planning outcomes:
   i. Number of affordable housing units granted consent;
   ii. Proportion of affordable housing units granted consent that are located within defined settlement boundaries;
   iii. Number of market housing granted consent;
   iv. Proportion of market housing units granted consent that are located within defined settlement boundaries;
   v. Total number of housing units completed;
   vi. Housing land availability indicators;
   vii. Amount of office floor space granted (net increase in sqm.)
   viii. Amount of retail floor space granted (net increase in sqm.)
   ix. Amount of industrial floor space granted (net increase in sqm.)
   x. Number of megawatts of renewable energy approved.

3.31 Commentary: The purpose of these indicators is for councils to report on actual outcomes to the planning process. It is important for the Council to demonstrate what the Planning Service is delivering for the city and communities and the principle of this PI is welcomed. Much of the information will be required for monitoring the Local Development Plan. The Planning Portal does not routinely collect all the information and systems will need to be
setup so that the data can be easily collected. In view of this, the Department does not propose councils to report on these indicators until 2018/19. This delay is supported. There are several further points around this PI to consider. The Department should provide clarity as to the definition of “affordable housing”. The Department should note that whilst a council may grant planning permission for development that it purported to be affordable housing, it is not always necessary to restrict the development to being affordable housing (a council can only do this if there is a sound planning reason for doing so and it would otherwise refuse permission without this restriction). The P1 planning application forms may need to be amended so that the necessary information can be identified. The Department should clarify whether floor space is a net or gross figure, and what is meant by “housing land availability indicators”. It would be helpful to have an indicator for the number of hotel bedrooms granted permission. The Department should be mindful of “double-counting” the number of units and floor space because multiple planning permissions can be granted on the same site.

3.32 The Department proposes to set up a Planning Performance Management Working Group, attended by local and central government, to refine, clarify and evolve the Framework over time. This is the model used in Wales and is welcomed.

3.33 Other considerations
The Department’s new Performance Management Framework will help drive improved performance and service delivery across the 11 councils. However, the PIs set out in the Framework remain relatively high level and it is crucial for the Council to introduce its own detailed KPIs so that performance can be effectively managed. The Council is currently unable to introduce the range of detailed KPIs that it would like because of the significant limitations of the existing Planning Portal (back-office planning software). The Portal is a shared system used by the Department and 11 councils and is under contract until April 2019. There is an on-going joint project by the Department and 11 councils to examine options for replacing the Portal. The Committee is advised that the existing Portal is two generations behind the latest software used elsewhere in the United Kingdom and Republic of Ireland, and is a major impediment to improving planning application performance.

3.34 The Council should also stress the need for the Department to review and amend planning legislation. A huge issue for the Council is the quality of applications when they are submitted. This can be addressed to an extent through a good Pre-Application Discussion service whereby proposals and information requirements can be discussed before the application is made. However, unlike in England and Wales, the Planning Act (Northern
Ireland) 2011 requires very minimal information to be submitted with an application for it is to be legally valid. In England and Wales, local planning authorities have the power to publish a “Local Validation List”, which clearly sets out to customers what information is required to support a type of application in a given location. For example, it gives local planning authorities the power to request that the following is submitted with an application for it to be valid: Transport Assessment, Contaminated Land Report, 3D visuals and photomontages, archaeological impact assessment, drainage strategy, flood risk assessment and ecological survey etc. Councils in Northern Ireland are not legally empowered to require this information when an application is submitted and it means that many applications do not have the necessary information at the start for a proper decision to be made. The result is that information is often delayed and re-consultation has to take place when the information is eventually submitted. The consequences are additional costs for the Council and far longer determination times, which is detrimental to performance. The legislation must be amended so that councils can publish their own Local Validation List.

Finally, the Planning Service must ensure that it has sufficient resource at the right level to support good performance and improved service delivery. This applies to all staff, whether they are professional, technical or business support level. Members will recall the report considered by the Planning Committee at the last meeting concerning 10 Operating Principles for Development Management. These Operating Principles represent good practice in how a Planning Service should operate but they require the right level of resource and structure if there are to be properly implemented. The Planning Service is currently reviewing the resource and structural requirements for the service.

Financial & Resource Implications
The introduction of a fit for purpose performance management framework for planning in Northern Ireland will help drive performance improvements and lead to better service delivery. This will support an efficient planning service that makes better use of its resources.

Equality or Good Relations Implications
None identified.

Appendices – Documents Attached
Appendix 1 – Performance Management Framework (Departmental consultation)
Appendix 2 – Planning Performance Framework for Northern Ireland (consultant’s report)
Appendix 3 – recommended consultation response to the Department (draft letter)
Appendix 1

Northern Ireland Planning Performance Management Framework

PLANNING PERFORMANCE MANAGEMENT FRAMEWORK
Appendix 1
Northern Ireland Planning Performance Management Framework

May 2017 – Version 1

Introduction

1.1 The planning system in Northern Ireland has undergone a period of significant change. On 1st April 2015, the majority of planning functions were devolved from the Northern Ireland Government’s former Department of the Environment (DOE) to 11 newly re-organised district councils. The previous arrangement of 26 district councils had been in place since the early 1970s.

1.2 Both actual and anecdotal evidence suggests that the new planning system and council reorganisation are now bedding-in. It is recognised that any performance management measures should have regard to the context of recent significant change, as well as the introduction of any significant further change and/or additional resource demands at this time.

1.3 The Department for Infrastructure (DfI) commissioned Mark Hand (Head of Planning, Housing and Place-Shaping Innovation and Enterprise Directorate, Monmouthshire County Council) to prepare a report scoping out proposals for a planning performance management framework for Northern Ireland, including suggested indicators and definitions, timescales and other matters for consideration. This framework is based on the work carried out by Mark.

1.4 The framework has been formulated following discussions and a workshop with DfI, heads of planning and relevant senior local government officers; as well as consideration of good practice in other regions (primarily Wales and Scotland); a customer survey asking planning agents/developers what is important to them in terms of an effective planning system; and feedback from heads of planning, enforcement officers and DfI officials on the draft report issued in January 2017.

1.5 The objective of the exercise was to make recommendations for a framework to measure performance in a proportionate and meaningful way and to use the collected data to help drive service improvements. The desired outcome is a positive, efficient and effective planning system for Northern Ireland. Any performance management framework will evolve with time, as lessons are learnt or as circumstances, challenges or priorities change.

1.6 The outcomes of the framework will be of benefit to councils in helping them to identify best practice and to drive forward continuous improvement. It will also help central and local government to demonstrate planning’s contribution to delivering the draft Programme for Government (PfG) outcome-based indicators. These include a strong, competitive, regionally balanced economy; protection of the environment; a healthier and more equal society; and a society where people are connected with opportunities through infrastructure. This requires central government to work with local government, private sector, voluntary and community sectors to maximise what can be achieved collectively.

1.7 While there are currently three statutory planning indicators, it is widely recognised that these do not cover all the work carried out by the local planning authorities (LPAs). This framework will help to address this by capturing data on other planning-related activities.

1.8 The framework incorporates the existing three statutory indicators, which will remain in addition to the new indicators.

Monitoring and reporting arrangements
2.1 The new performance reporting arrangements will come into effect from 1st April 2017. In the interest of driving forward continuous improvement across the Northern Ireland planning system, the Department will gather the data on a quarterly basis. Where possible, the data will be extracted from the planning portal or from official statistics; to minimise the burden on LPAs.

2.2 The quarterly reports will be issued to councils following the end of each quarter by Dfi, pre-populated with centrally available data, as part of the current Official Statistics (OS) validation process. Councils will be asked to provide the input for any performance indicators they are responsible for updating and to confirm their agreement with the content of the reports. Once received, the Department will incorporate the information into the quarterly OS reports in the most appropriate format. At the end of each year the Department will use this information within an overall NI-wide planning report, which will include details of the Department’s planning-related work and Planning Appeal Commission’s (PAC) performance, and will publish the report on its website. Following the Department’s release of quarterly pre-announced OS publications, councils may choose to publish their own quarterly reports.

2.3 Councils will be able to add narrative to explain performance and identify successes and areas for improvement / actions.

2.4 It is envisaged that this framework will evolve over time. The Department, in conjunction with local government, will review indicators and definitions and agree targets for the next year based on lessons learnt, trends, priorities and aspirations.

2.5 Where applicable, the framework categorises performance into one of three performance bands:

   - **IMPROVE**: This service element has fallen below acceptable standards. Improvement should be sought within the next 12 months.
   - **FAIR**: The authority should consider identifying and replicating examples of good practice from amongst peers.
   - **GOOD**: The stakeholder has performed to a high standard, and sets a good example for others to follow.

2.6 The indicators set out in the performance framework table are divided into six categories:

   - Plan-making
   - Efficiency
   - Quality
   - Engagement
   - Enforcement
   - Outcomes (establishing systems and data gathering for the first year - will not be externally published)

2.7 Some of the indicators are currently not subject to specific targets. Where this is the case, the target is described as ‘to be benchmarked’. These targets will be set in discussion with the LPAs and the Department.

2.8 A list of the indicators can be found at Annex A.
SECTION 1 – PLAN MAKING:

Performance Indicator 1 (PI 1) - Has the council:

a) Had its Statement of Community Involvement (SCI) agreed by the Department?

- NO SUBMITTED - AWAITING DECISION YES

b) Published its Preferred Options Paper?

- NO YES

c) Published its Plan Strategy?

- NO YES

d) Published its Local Policies Plan?

- NO YES

Definitions

i) ‘Statement of Community Involvement’ means the document as defined in the Planning (Statement of Community Involvement) Regulations (NI) 2015. Guidance can be found in Development Plan Practice Note 02.

ii) ‘Agreed’ by the Department means that the council has either received a positive written response accepting the SCI from the Department or that no response has been received within 4 weeks of the council submitting the SCI to the Department.

iii) ‘Preferred Options Paper’ means the document as defined in Part 3 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (the LDP Regulations). Guidance can be found in Development Plan Practice Note 04.

iv) ‘Published’ means made publically available in accordance with the relevant section of the LDP Regulations (for example Regulation 11 in relation to the POP).

v) Publication of the ‘Plan Strategy’ refers to making publically available the adopted Plan Strategy under Regulation 24.

vi) Publication of the ‘Local Policies Plan’ refers to making publically available the adopted Local Policies Plan under Regulation 24.
**Performance Indicator 2 (PI 2)** - Has the council submitted its local development plan (LDP) Annual Monitoring Report (AMR)?

The AMR would detail the extent to which the objectives set out in the LDP are being achieved. This indicator would not be applicable until a full year following LDP adoption, which is some time off.

**Definitions**

i) ‘Submission’ of the Annual Monitoring Report means the date on which a copy of / link to the council’s AMR is sent in writing to the Department under Regulations 25 and 27.
SECTION TWO – EFFICIENCY

**Performance Indicator 3 (PI 3)** - Average processing time taken to determine major applications.

- **IMPROVE** to be benchmarked
- **FAIR** to be benchmarked
- **GOOD** to be benchmarked

This indicator is the existing statutory indicator.

**Standard** – Major applications processed from date valid to decision or withdrawal within an average of 30 weeks.

**Definitions**

i) A ‘major’ application is as defined in the Planning (Development Management) Regulations (Northern Ireland) 2015.

**Performance Indicator 4 (PI 4)** - Average time taken to determine major applications (excluding legacy and withdrawn applications).

- **IMPROVE** to be benchmarked
- **FAIR** to be benchmarked
- **GOOD** to be benchmarked

This indicator is similar to the existing statutory indicator but excludes legacy applications and withdrawn applications.

**Definitions**

i) A ‘legacy’ application is described as an application registered as valid on or before 31st March 2015.

ii) Applications withdrawn by the applicant prior to the decision notice being issued will be excluded from the statistics.
Performance Indicator 5 (PI 5) – Average processing time taken to determine local applications.

This indicator is the existing statutory indicator.

Standard – Local applications processed from date valid to decision or withdrawal within an average of 15 weeks.

Definitions

i) A ‘local’ application is as defined in the Planning (Development Management) Regulations (Northern Ireland) 2015, and any other applications for approval or consent under the Planning Act (Northern Ireland) 2011 (or any orders or regulations made under that Act). Applications to discharge conditions are excluded.

Performance Indicator 6 (PI 6) - Average time taken to determine local applications (excluding legacy and withdrawn applications).

This indicator is similar to the existing statutory indicator but amended to exclude legacy and withdrawn applications.

Performance Indicator – 7 (PI 7) - Average times taken to determine major legacy applications.

Given the age of these applications (only applications that have a date valid on or prior to 31st March 2015) a target is rather meaningless.

Performance Indicator – 8 (PI 8) - Average times taken to determine local legacy applications.

Given the age of these applications (only applications that have a date valid on or prior to 31st March 2015) a target is rather meaningless.
SECTION THREE - QUALITY

Performance Indicator – 9 (PI 9) - Percentage of applications determined under delegated powers.

Definitions
i) The numerator is the number of applications determined under delegated powers during the reporting period. The denominator is the total number of applications determined during the reporting period.

Performance Indicator – 10 (PI 10) - Percentage of applications approved.

Definitions
i) The numerator is the number of applications approved during the reporting period. The denominator is the total number of applications determined during the reporting period.

Performance Indicator – 11 (PI 11) - Percentage of committee decisions made against officer recommendation.

Definitions
i) The numerator is the number of applications determined by the Planning Committee that were contrary to officer recommendation as published in the Committee minutes, during the reporting period. The denominator is the total number of applications determined by the Planning Committee during the reporting period.

Performance Indicator – 12 (PI 12) - Percentage of appeals against refusals of planning permission that are dismissed.

Definitions
i) The numerator is the number of appeal decisions that were dismissed (i.e. the council’s decision was upheld) during the reporting period. The denominator is the total number of appeals determined by the Planning Appeals Commission during the reporting period. This indicator excludes appeals against non-determination and enforcement notices.

Performance Indicator – 13 (PI 13) - Number of appeal costs awards.

Definitions
i) This measures the number of instances where costs were either awarded fully or partially in the council’s favour, or wholly or partially against the council. The indicator measures the number of instances, not the amount of money.
SECTION FOUR – ENGAGEMENT

Performance Indicator – 14 (PI 14) - Does the council allow public speaking at planning committee meetings?

<table>
<thead>
<tr>
<th>IMPROVE</th>
<th>GOOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members of the public are not able to address the Planning Committee</td>
<td>Members of the public are able to address the Planning Committee</td>
</tr>
</tbody>
</table>

Definitions
i) ‘Public speaking at Planning Committee meetings’ means any scheme formally adopted by the council and in operation that allows applicants, objectors and / or third party supporters to speak at Planning Committee meetings in relation to a specific application on the Committee agenda. The number of speakers, types of application on which speaking is permitted, length of time allowed for speakers etc. are all matters for the council to decide for itself to best meet its service needs.

Performance Indicator – 15 (PI 15) - Does the council have a planning officer on duty to provide general planning advice to customers?

<table>
<thead>
<tr>
<th>NO</th>
<th>Partial</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>thre is no duty planning officer available</td>
<td>A duty planning officer is available, but not always during normal officers hours</td>
<td>A duty planning officer is available during normal office hours</td>
</tr>
</tbody>
</table>

Definitions
i) The Duty Officer service must, as a minimum, be available Monday to Friday 9:00am to 4:30pm to count as a full Duty Officer service and to be recorded as a ‘yes’ in the performance returns. A lesser service should be recorded as ‘partial’, or no service as ‘no’. The Duty Officer should be suitably qualified or experienced to provide day to day general planning guidance. The Lagan/NI Direct Service does not constitute a Duty Planning Officer.
SECTION FIVE – ENFORCEMENT

Performance Indicator – 16 (PI 16) - Proportion of enforcement cases progressed to the target conclusion within 39 weeks:

- **IMPROVE** to be benchmarked
- **FAIR** to be benchmarked
- **GOOD** to be benchmarked

This is the existing statutory indicator.

Standard – 70% of all enforcement cases progressed to target conclusion within 39 weeks of receipt of complaint
SECTION SIX – STRATEGIC PLANNING DIVISION

Performance Indicator – 17 (PI 17) - Contribute to sustainable economic growth by progressing all regionally significant applications to a Ministerial recommendation within 30 weeks of receipt of the application (or environmental statement, where applicable).

IMPROVE to be benchmarked

FAIR to be benchmarked

GOOD to be benchmarked

Definitions

i) The processing target shall apply to RSD applications that:
   o have been subject to pre-application discussions (PADs) with satisfactory provision of draft environmental information prior to submission, where applicable;
   o are not the subject of a request for further environmental information. Such a request will extend the target by 30 weeks upon receipt of the information.
SECTION SEVEN – OUTCOMES

Performance Indicator – 18 (PI 18) - Planning outcomes:

i. number of affordable housing units granted consent;
ii. proportion of affordable housing units granted consent that are located within defined settlement boundaries;
iii. number of market housing units granted consent;
iv. proportion of market housing units granted consent that are located within defined settlement boundaries;
v. total number of housing units completed;
vi. housing land availability indicators;
vii. amount of office floor space granted (net increase in sqm);
viii. amount of retail floor space granted (net increase in sqm);
ix. amount of industrial floor space granted (net increase in sqm);
x. number of megawatts of renewable energy approved.

While this information will be required by councils to populate their local development plans and for ongoing monitoring of those plans, it is considered important as an indicator of planning outcomes and therefore has been included in the framework. However, it is recognised that the planning portal does not capture all this information. Some of the above data may already be collated by some councils, but not all. In order to allow all councils time to collate this data, these outcome indicators will not be reported upon, or published, during 2017-18. The intention would be that councils will have this year to establish the monitoring systems necessary to capture this information, with a view to reporting properly from 1st April 2018.

This issue will be taken forward through further discussions with the proposed Performance Management Working Group, including agreed definitions for the indicators.
## Appendix A

### Northern Ireland Planning Performance Management Framework

#### Annex A

<table>
<thead>
<tr>
<th>MEASURE</th>
<th>Data available from</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Section one - Making Plans</strong></td>
<td></td>
</tr>
<tr>
<td>PI - 1</td>
<td>Has the council:</td>
</tr>
<tr>
<td>a) Had its Statement of Community Involvement (SCI) agreed by the Department?</td>
<td>DfI</td>
</tr>
<tr>
<td>b) Published its Preferred Options Paper?</td>
<td>Council</td>
</tr>
<tr>
<td>c) Published its Plan Strategy?</td>
<td>Council</td>
</tr>
<tr>
<td>d) Published its Local Policies Plan?</td>
<td>Council</td>
</tr>
<tr>
<td>PI - 2</td>
<td>Has the Council submitted its local development plan (LDP) annual monitoring report (AMR)?</td>
</tr>
<tr>
<td><strong>Section two - Efficiency</strong></td>
<td></td>
</tr>
<tr>
<td>PI - 3</td>
<td>Average time taken to determine major applications (current statutory indicator)</td>
</tr>
<tr>
<td>PI - 4</td>
<td>Average time taken to determine major applications (excluding legacy and withdrawn applications)</td>
</tr>
<tr>
<td>PI – 5</td>
<td>Average time taken to determine local applications (current statutory indicator)</td>
</tr>
<tr>
<td>PI – 6</td>
<td>Average time taken to determine local applications (excluding legacy and withdrawn applications)</td>
</tr>
<tr>
<td>PI – 7</td>
<td>Average time taken to determine major legacy applications</td>
</tr>
<tr>
<td>PI – 8</td>
<td>Average time taken to determine minor legacy applications</td>
</tr>
<tr>
<td><strong>Section three - Quality</strong></td>
<td></td>
</tr>
<tr>
<td>PI – 9</td>
<td>Percentage of applications determined under delegated powers</td>
</tr>
<tr>
<td>PI – 10</td>
<td>Percentage of applications approved</td>
</tr>
<tr>
<td>PI – 11</td>
<td>Percentage of committee decisions made against officer recommendation</td>
</tr>
<tr>
<td>PI – 12</td>
<td>Percentage of appeals against refusals of planning permission that are dismissed</td>
</tr>
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<td>PI - 13</td>
<td>Number of appeal costs awards</td>
</tr>
<tr>
<td><strong>Section four - Engagement</strong></td>
<td></td>
</tr>
<tr>
<td>PI – 14</td>
<td>Does the council allow public speaking at planning committee meetings?</td>
</tr>
<tr>
<td>PI – 15</td>
<td>Does the council have a planning officer on duty to provide general planning advice to customers?</td>
</tr>
<tr>
<td><strong>Section five - Enforcement</strong></td>
<td></td>
</tr>
<tr>
<td>PI – 16</td>
<td>Proportion of enforcement cases progressed to the target conclusion within 39 weeks</td>
</tr>
<tr>
<td><strong>Section six – Strategic Planning Division</strong></td>
<td></td>
</tr>
<tr>
<td>PI – 17</td>
<td>Contribute to sustainable economic growth by progressing all regionally significant applications to a Ministerial recommendation within 30 weeks of receipt of the application (or environmental statement where applicable).</td>
</tr>
</tbody>
</table>

**2017-18 to be used as base year for data collection purposes:**

<p>| <strong>Section seven – Outcomes (to be monitored from 1/4/18)</strong> | |
| PI – 18 | Planning outcomes: |
| Number of affordable housing units granted consent | Council |
| Proportion of affordable housing units granted consent that are located within defined settlement boundaries | Council |
| Number of market housing units granted consent | Council |</p>
<table>
<thead>
<tr>
<th>Metric</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proportion of market housing units granted consent that are located within defined settlement boundaries</td>
<td>Council</td>
</tr>
<tr>
<td>Total number of housing units completed</td>
<td>Council</td>
</tr>
<tr>
<td>Housing land availability indicators</td>
<td>Council</td>
</tr>
<tr>
<td>Amount of office floor space granted (net increase in sqm)</td>
<td>Council</td>
</tr>
<tr>
<td>Amount of retail floor space granted (net increase in sqm)</td>
<td>Council</td>
</tr>
<tr>
<td>Amount of industrial floor space granted (net increase in sqm)</td>
<td>Council</td>
</tr>
<tr>
<td>Number of megawatts of renewable energy approved</td>
<td>Council</td>
</tr>
</tbody>
</table>
Appendix 2

PLANNING PERFORMANCE FRAMEWORK FOR NORTHERN IRELAND

FINAL REPORT MARCH 2017

Abstract

An efficient and effective planning system is a crucial tool for meeting the needs of Northern Ireland’s communities. It enables economic growth and house-building, create thriving and attractive places to live, work and relax, while protecting and enhancing the best of Northern Ireland’s beautiful landscapes and rich culture and heritage.

This report sets out a Planning Performance Framework for Northern Ireland, including indicators and definitions, timescales and other matters for consideration. The Framework has been informed by engagement with planning practitioners from the private sector (agents/developers), District Councils and the Department for Infrastructure, as well as considering best practice in England, Scotland and Wales.

The objective is to establish a framework to measure performance in a proportionate and meaningful way and to use the collected data to help drive service improvements. The desired outcome is a positive, efficient and effective planning system for Northern Ireland. Any performance management framework should evolve with time, as lessons are learnt or as circumstances, challenges or priorities change.

Mark Hand, Arloesi Planning
markarloesiplanning@outlook.com
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Planning Performance Framework for Northern Ireland

Final Report March 2017

Executive Summary:

i. This report sets out proposals for a Planning Performance Framework for Northern Ireland, including indicators and definitions, timescales and other matters for consideration.

ii. The objective of this report is to make recommendations for a framework to measure performance in a proportionate and meaningful way and to use the collected data to help drive service improvements. The desired outcome is a positive, efficient and effective planning system for Northern Ireland. Any performance management framework should evolve with time, as lessons are learnt or as circumstances, challenges or priorities change.

iii. The recommendations have been formulated following discussions and a workshop with the Department for Infrastructure (DfI), Heads of Planning and relevant senior Local Government officers; consideration of good practice in other regions (primarily Wales and Scotland); a customer survey asking 93 regular planning agents/developers what is important to them in terms of an effective planning system; and feedback from Heads of Planning, Enforcement Officers and the DfI’s Analysis, Statistics and Research Branch on the draft report issued in January 2017.

iv. The following indicators are recommended:

Plan-making:

PI1 Has the Council:

a) had its Statement of Community Involvement (SCI) agreed by the Department?

Yes/Submitted but awaiting DfI decision/No. The Annual Performance Report (APR) can include an explanation if applicable, including consideration of the extent to which the SCI is operating effectively.

b) Published its Preferred Options Paper?

Yes/No. The Annual Performance Report (APR) can include an explanation if applicable.

c) Published its Plan Strategy?

Yes/No. The Annual Performance Report (APR) can include an explanation if applicable.

d) Published its Local Policies Plan?

Yes/No. The Annual Performance Report (APR) can include an explanation if applicable.

Rationale: This indicator directly relates to the primacy of the Plan-led system as per Section 6(4) of the 2011 Act and paragraph 5.11 of the SPPS. In a Plan-led system, the production of up-to-date Local Development Plans is essential to deliver sustainable development. This indicator measures progress towards Plan adoption.
Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017.

**PI2 Has the Council submitted its Local Development Plan (LDP) Annual Monitoring Report (AMR)?**

Yes/Not applicable/No. The APR can include an explanation if applicable. The AMR would detail the extent to which the objectives set out in the Local Development Plan are being achieved. This indicator would not be applicable until a full year following LDP adoption, which is some time off.

Rationale: In a Plan-led system, the effective operation of adopted Local Development Plans is essential to deliver sustainable development. This indicator ensures adopted LDPs are monitored annually to ensure they are delivering on priority targets.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017 (acknowledging that the response will be ‘not applicable’ for a number of years until emerging LDPs are adopted).

**Efficiency:**

**PI3 Average time taken to determine major applications**

This indicator is the existing PS1 but amended as follows:
- to exclude legacy applications (those registered before 1st April 2015), as per the Scottish system, because they distort the picture of District Council performance;
- to exclude withdrawn applications, as per the Welsh system. Withdrawn applications have normally stalled for a significant period due to circumstances beyond the Council’s control, and withdrawal is the applicant’s decision not the planning department’s decision.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. The average time indicators measure speed of decision-making.

Resource implications: Low. The DfI’s Analysis, Statistics and Research Branch can easily electronically exclude legacy applications based on the date valid and can exclude withdrawn applications based on the decision type.

Timescale: This PI can be measured from April 2017.

**PI4 Percentage of major applications determined within the agreed timescale**

The ‘agreed timescale’ would be a set target (currently 30 weeks) or an alternative deadline agreed in writing between the applicant/agent and planning department on a case by case basis. This allows a balance to be struck between making timely decisions, the applicant obtaining planning permission and securing good outcomes. The applicant can decline the requested time extension and retain their right of appeal against non-determination once any agreed time period has passed. Based on current performance, the existing 30 week
average target is an appropriate starting point. With time, the target can be reviewed in liaison with District Council representatives via a Performance Working Group. Legacy and withdrawn applications should be excluded.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. This indicator seeks to balance measuring speed against securing a positive outcome for both the customer and stakeholders.

Resource implications: Moderate. It will be necessary to record performance against an agreed extension of time, while retaining the 30 week target date for reporting on PI3. At present, the Portal IT system cannot record a decision deadline and an agreed extended deadline. The options are to either record this data separately from but alongside the Portal, or await a future update to/replacement of the Portal (estimated 2019).

Timescale: Only if a parallel data recording system is adopted can this PI can be measured from April 2017.

**PI5 Average time taken to determine local applications**

This indicator is the existing PS2 but amended as per PI3 (PS1) above to exclude legacy and withdrawn applications.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. The average time indicators measure speed of decision-making.

Resource implications: Minimal. The DfI’s Analysis, Statistics and Research Branch can easily electronically exclude legacy applications based on the date valid and exclude withdrawn applications based on the decision type.

Timescale: This PI can be measured from April 2017.

**PI6 Percentage of local applications determined within the agreed timescale**

As per PI4 above. The current 15 week average target is an appropriate starting point based on current performance, with the target being reviewed in liaison with District Council representatives via a Performance Working Group. Legacy and withdrawn applications should be excluded.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. This indicator seeks to balance measuring speed against securing a positive outcome for both the customer and stakeholders.

Resource implications: Moderate. It will be necessary to record performance against an agreed extension of time, while retaining the 15 week target date for reporting on PI5. At present, the Portal IT system cannot record a decision deadline and an agreed extended deadline. The options are to either record this data separately from but alongside the Portal, or await a future update to/replacement of the Portal (estimated 2019).

---

1 From April to December 2016, the Northern Ireland average (median) time taken to determine major applications was 45.8 weeks (it was 70.0 weeks including legacy applications). Source: DfI Q3 16/17 statistics.
2 From April to December 2016, the Northern Ireland average (median) time taken to determine local applications was 15.0 weeks (it was 16.4 weeks including legacy applications). Source: DfI Q3 16/17 statistics.
Timescale: Only if a parallel data recording system is adopted can this PI be measured from April 2017.

**PI7 Average time taken to determine legacy applications**

As per the existing PS1 but excluding withdrawn applications, and reporting only on applications that have a date valid prior to 1st April 2015. Withdrawn applications would be excluded. Given the age of these applications, a target is rather meaningless. If desired, the legacy applications could be subdivided between major and local applications. APRs should include commentary on progress made in determining legacy applications and the number still undetermined.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. This indicator seeks to measure progress on determining legacy applications.

Resource implications: Low. The DfI’s Analysis, Statistics and Research Branch can easily electronically separate out legacy applications based on the date valid and exclude out withdrawn applications based on the decision type.

Timescale: This PI can be measured from April 2017.

Resource implications: Low. It should be possible for the DfI to run a report to extract this data based on information already collated.

**Quality:**

**PI8 Percentage of applications determined under delegated powers**

Rationale: Alone this performance indicator does not say much, but read in conjunction with PI3-PI7 it adds to the information regarding efficiency, and in conjunction with PI9-PI12 it adds to the picture regarding the way in which decisions are made and the outcome.

Resource implications: Minimal. This data is already available via the Portal and can be collated and reported on by the Statistical Analysis and Reporting Branch.

Timescale: This PI can be measured from April 2017.

**PI9 Percentage of applications approved**

Rationale: Alone this performance indicator does not say much, but read in conjunction with PI3-PI8 it provides a picture regarding the balance of speed versus a positive/quality outcome. It also provides evidence that the planning system is not blocking development and economic growth.

Resource implications: Minimal as this data is already recorded by DfI in its Statistical Reports.

Timescale: This PI can be measured from April 2017.

**PI10 Percentage of Committee decisions made against the Officer recommendation**

Rationale: When considered in conjunction with PI11 and PI12 the data provides a rounded picture of the quality of decisions, gives an indication of Officer-Member working relationships and could identify potential training needs. For example if Committee
overturns are not upheld at appeal, this might indicate a training need for Committee Members. Conversely, if the overturns are upheld at appeal, it might indicate a training need for Officers.

Resource implications: Minimal. This data is already available via the Portal and can be collated and reported on by the Statistical Analysis and Reporting Branch.

Timescale: This PI can be measured from April 2017.

PI11 Percentage of appeals against refusals of planning permission that are dismissed

Rationale: It is suggested that this indicator should measure appeals against planning refusals only. Appeals against Enforcement Notices are low in number and can be discussed in the APR if desired. Appeals against non-determination of the application relate more to the absence of timely decision-making rather than the quality of the District Council’s decision and so these should be excluded. This PI measures the quality of decisions made, as the PAC either upholds or overturns the Council’s decision. The limitation is that this applies to refusals only, but this is unavoidable as there is no third party right of appeal against the grant of planning permission. It is recommended that Council APRs include information and commentary regarding corporate complaints and compliments, upheld Ombudsman complainants and Judicial Reviews, but it is not considered appropriate to include those items as a performance target.

Resource implications: Minimal. This data can be obtained from the Planning Appeals Commission.

Timescale: This PI can therefore be measured from April 2017.

PI12 Number of appeal costs awards

This indicator measures the number of occasions where a Planning Appeals Commissioner awards costs at appeal. Costs could be awarded against the Council, if for example the Commissioner considers that the District Council’s decision cannot be substantiated or its behaviour has been unreasonable during the appeal proceedings. Alternatively, costs can be awarded in favour of a Council if the appellant has behaved unreasonably or their case has no prospect of success.

The indicator measures the number of instances where costs are awarded, not the amount of costs awards (£). In response to feedback from the Heads of Planning, partial costs award will be recorded separately.

<table>
<thead>
<tr>
<th></th>
<th>No. instances full costs awarded</th>
<th>No. instances partial costs awarded</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Against the Council</td>
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Rationale: This indicator seeks to measure the quality of decisions made and/or the quality of service provided in terms of defending decisions at appeal in an open and timely way.
Resource implications: Low. This data can be obtained from the Planning Appeals Commission. Alternatively, these instances will be very low in number and so can be manually recorded if necessary.

Timescale: This PI can be measured from April 2017.

Engagement:

PI13  Does the District Council allow public speaking at Planning Committee meetings?

Yes/No. The DfI has produced best practice guidance for a protocol for public speaking rights. Quite rightly, this is simply guidance, and each District Council has discretion to set its own rules to meet the needs of its communities.

Rationale: allowing public speaking is considered to be best practice and is an important way of ensuring engagement in decision-making.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017

PI14  Does the District Council have a planning officer on duty to provide general planning advice to customers?

Yes/Partial/No. Consideration should be given to the amount of service that should be provided to score a ‘yes’ (e.g. 09:00-16:30 every weekday?).

Rationale: Research elsewhere has identified that access to planning advice is important to customers: a customer survey could test whether or not the same is true in Northern Ireland: if not, this indicator could be deleted.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017.

Enforcement:

PI15  Percentage of enforcement cases resolved within the target deadline:

This is identical to the existing PS3 indicator, which is considered to work perfectly well in terms of measuring the initial stages in formally resolving a breach of planning control that lie fully within the Council’s control. An enforcement case is ‘resolved’ when one of the following actions has been taken:

- a) it has been concluded that no breach of planning control has occurred;
- b) it has been concluded that formal enforcement action is not expedient;
- c) a retrospective planning application has been submitted;
- d) an enforcement notice has been issued (to include Enforcement Notice, Breach of Condition Notice, Stop Notice, Unsightly Land Notice, Fixed Penalty Fine, Enforcement Warning Notice requiring submission of a retrospective application. It does not include issuing a Requisition for Information);
- e) the breach has ceased (use ceased, building demolished etc.).

Rationale: timely and appropriate enforcement action is an essential part of the planning service. The steps are fully within the Council’s control. Reference to the 39 week target
deadline has been removed from the PI title to allow greater flexibility to adjust this target in the future. Any such changes to the target should be agreed by the Performance Working Group.

Resource implications: none.

Timescale: This PI can be measured from April 2017.

**Outcomes:**

**PI16 Planning outcomes:**

i. Number of affordable housing units granted consent;
ii. The proportion of affordable housing units granted consent that are located within defined settlement boundaries³;
iii. Number of market housing units granted consent;
iv. The proportion of market housing units granted consent that are located within defined settlement boundaries⁴;
v. Total number of housing units completed⁵;
vi. Amount of office floor space granted (net increase in sqm);
vii. Amount of retail floor space granted (net increase in sqm);
viii. Amount of industrial floor space granted (net increase in sqm);
ix. Number of megawatts of renewable energy approved.

Rationale: The number of housing units approved, the amount of employment floorspace approved, and renewable energy promotion are considered to be important planning outputs that align with the Minister’s core objectives for the Northern Ireland planning system as set out in the SPPS. This indicator seeks to report on delivery against those priorities.

Resource implications: Moderate. Some of this data is already measured by some Councils but other data, while included on the application form (vi–viii) is not entered into the Portal at present and therefore cannot be retrieved without an inefficient manual search. Renewable energy production (ix) is not currently captured on the application form unless volunteered by the applicant. This data would in any case reflect the maximum potential output: the real output would depend on wind speed/hours of sunlight etc. so the data would need to be treated with an element of caution.

Timescale: It is recommended that this PI be introduced during 2017/18 as a trial run, with a view to collecting the data properly from 1st April 2018.

**Other matters:**

v. **Equalities:**

The approval of Gypsy and Traveller sites forms an important part of addressing a specific housing need and meeting equalities objectives. However, it is recommended that this is best reported via LDP AMRs as delivery against the evidenced need in each Council area. In addition, it is understood that this is already reported on via each Council’s equalities reporting.

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³ A settlement boundary is that as defined in an adopted Area Plan or Local Development Plan
⁴ A settlement boundary is that as defined in an adopted Area Plan or Local Development Plan
⁵ This would be calculated using Building Control data
Consideration was given to whether or not other indicators would be appropriate to capture planning’s role in ensuring equality for Northern Ireland’s communities. However, the planning system primarily considers the land use implications of uses of land/buildings or physical development. Use of land is divided into use classes, so for example a religious institution could be used for any religious group: the permission would not be specific to a particular religion or group. The planning service sometimes has an important role to play in making timely decisions on adaptations to homes to allow people with disabilities to remain living safely and comfortably in their own homes, however most such works are ‘permitted development’ and do not require a planning application, so would not be captured by an indicator.

vi. Recommendations:

**Recommendation 1 - District Council Annual Performance Reports:**

That each year the DfI’s Analysis, Statistics and Research Branch produces a template Annual Performance Report for each Council and populates it with that Council’s statistics, using the data collation system already in place. Each Council would then add narrative to explain their performance and identify successes and areas for improvement/actions. Each Council would be responsible for publishing its APR on its website and submitting it to the DfI by an agreed deadline (31st October is suggested).

It is recommended that the APR should include:

- promotional information celebrating successful outcomes, for example regeneration projects that have gained planning permission or key development projects that are under way. This is an opportunity to publicise the value of the planning service for example in delivering quality and sustainable environments and enabling much needed house-building and job creation (see Recommendation 2);
- information and commentary regarding corporate complaints, compliments, upheld Ombudsman complainants and Judicial Reviews, to provide additional information about the quality of both decisions and the planning service. This data should be readily available within each Council;
- the number of undetermined legacy applications. This data is already collated by the DfI; and
- information regarding the number of withdrawn applications, including their duration within the planning system (0-6 months; 6-12 months or >12 months). This will capture information about potentially significant amounts of work that would otherwise go unreported. Withdrawn applications are already captured by the DfI’s statistical and the three proposed time bands are used in relation to renewable energy schemes and legacy applications.

**Recommendation 2 - Annual Performance Reports:**

That the Heads of Planning or an appropriate sub group reviews a small sample of APRs from Wales and Scotland (suggest 4-6 in total) to identify best practice and, in particular, ways of emphasising outcomes of the planning system, not just performance data.

**Recommendation 3 – Northern Annual Performance Report:**
That the DfI produces an Annual Performance Report summarising the performance of Northern Ireland as a whole including reporting on the Department’s and Planning Appeal Commission’s performance. This report would be produced following submission of the District Council APRs. Given the low number of Regionally Significant Development applications, it is suggested that the APR includes commentary about the proposal and outcome in addition to decision speed and any relevant explanation for the time taken, if appropriate. This NI APR should also include information on call-in decisions (number and decision speed) and appeal decision speed by PAC.

**Recommendation 4 – Data analysis:**
That the DfI’s Analysis, Statistics and Research Branch continues to provide data analysis support, including accuracy checks of the data submitted: this support is invaluable to provide robust, consistent and meaningful data analysis, as well as reducing the resource burden on Councils.

That consideration should be given to reporting both the arithmetic mean and the median, as per Scotland. The median figure may become less relevant if legacy applications and withdrawals are excluded. This should be reviewed by the Performance Working Group once the changes have bedded-in (see Recommendation 6).

**Recommendation 5 – IT systems:**
That the ‘Discovery Project’ should continue to review the best way of delivering an effective back-office planning IT system to replace/improve upon the Portal. Based on the experience in Wales, the use of corporate systems within individual Councils has caused considerable (and costly) problems when indicators or regulations are changed, necessitating amendments to multiple IT systems throughout Wales. Whatever IT system is procured, the software should be capable of measuring the new performance indicators, be sufficiently flexible to allow future amendments to those definitions (ideally free of charge), and enable improved access to performance management information for line managers. It should also enable the centralised capture and analysis of performance by the DfI’s Analysis, Statistics and Research Branch. Consideration should be given to future performance management tools, for example would it be helpful to be able to record the reason an application missed the target deadline, and then run a report on that data?

**Recommendation 6 – Performance Working Group:**
A Performance Working Group should be established comprising representatives from the DfI Planning Division; the DfI’s Analysis, Statistics and Research Branch; and District Council planning departments (primarily managers/leaders but with a small representation from Admin/Technical Support staff too). The Group should meet regularly (suggest quarterly) to:

- review performance indicators and definitions and to agree targets for the next year based on lessons learnt, trends, priorities and aspirations;
- to review the benefits of measuring the arithmetic mean in addition to the median for PI3-PI7 (as in Scotland);
- to identify a mechanism for measuring performance relating to ‘intermediate’ applications (15+ dwellings) separately using existing taxonomy categories. If beneficial, consideration should be given to amending PI3 and PI4 to create new PI measures for intermediate scale development;
to monitor statistics relating to applications subject to S.76 agreements and review if any associated changes should be made (e.g. stopping the clock when a resolution to approve is made);
• to consider options for an additional enforcement indicator to measure the end-to-end customer (complainant) experience.

Recommendation 7 - Clock-stopping:
It is not recommended that the clock should stop or pause for any reason. Although there are numerous factors that can stall the Council’s ability to determine an application, what matters to the customer is the end-to-end time. LPAs could record the reasons applications go beyond the target decision deadline and use this information to review and improve their procedures/systems/performance via their APR as applicable, or simply report on it as a reason for the performance figures being what they are. This will require a change to the NI Planning Portal which may not be possible in the immediate future.

Recommendation 8 – Customer satisfaction survey:
That Councils consider implementing a standardised NI-wide customer satisfaction survey and using the results as part of identifying best practice and benchmarking, for incorporation into their APRs. The survey should be at least annual, although ideally it would be issued as soon as the Decision Notice is dispatched to maximise meaningful customer feedback.
Planning Performance Framework for Northern Ireland

Final Report March 2017

1.0 Introduction:

1.1 This report sets out proposals for a Planning Performance Framework for Northern Ireland, including suggested indicators and definitions, timescales and other matters for consideration.

1.2 The objective of this report is to make recommendations for a framework to measure performance in a proportionate and meaningful way and to use the collected data to help drive service improvements. The desired outcome is a positive, efficient and effective planning system for Northern Ireland. Any performance management framework should be fair, consistent, clear and achievable. It should also help to drive efficiency and self-improvement and establish a consistent basis for comparison and benchmarking purposes. Where possible it should make use of existing reporting arrangements. It should also be expected to evolve with time, as lessons are learnt or as circumstances, challenges or priorities change.

1.3 The recommendations have been formulated following discussions and a workshop with the Department for Infrastructure (DfI), Heads of Planning and relevant senior Local Government officers; consideration of good practice in other regions (primarily Wales and Scotland); a customer survey asking 93 regular planning agents/developers what is important to them in terms of an effective planning system; and feedback from Heads of Planning, Enforcement Officers and the DfI’s Analysis, Statistics and Research Branch on the draft report issued in January 2017.

2.0 Background Context:

2.1 The planning system in Northern Ireland has undergone a period of significant change over the last 18 months. On 1st April 2015, the planning function was devolved from the Northern Ireland Government’s former Department of the Environment (DoE) to 11 newly re-organised District Councils. The previous arrangement of 26 District Councils had been in place since the early 1970s.

2.2 This period since April 2015 has involved three key areas of significant culture change:

- Newly merged District Councils establishing their governance, purpose and priorities as new organisations;
- Former Civil Servants from the DoE transferring to a different working environment and public interface within the new 11 Councils; and
- District Councils adapting to their new role as decision-maker on planning applications rather than simply being a consultee.

2.3 Both actual and anecdotal evidence suggests that the new planning system and Council reorganisation are now bedding-in, but it is important that any proposed performance management measures have regard to the context of recent significant change: the
introduction of significant further change and/or additional resource demand at this time could be self-defeating. In terms of the evidence, the number of applications determined in NI dropped sharply in Q1 2015/16, coinciding unsurprisingly with Local Government reform and the transfer of planning powers. Decision numbers have since increased and are now back to 2011/12 levels. Both decision numbers and the number of planning applications lodged remain significantly below pre-2007 levels. The latter is not within the control of District Councils and is not unique to Northern Ireland, rather being a result of the wider economic climate.

### 3.0 The Current Situation:

#### 3.1 At present, planning performance is measured against three statutory performance indicators:

**PS1: Average time taken to determine major planning applications.**

The target set by the DfI is for the average time taken to determine applications for major development to be less than or equal to 30 weeks. Time is measured from receipt of a valid application to issuing the decision, or withdrawal of the application. The ‘average’ is calculated as the median, to reduce the skewing effect of significant outliers. A ‘major’ application is defined in the Planning (Development Management) Regulations (Northern Ireland) 2015\(^6\).

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\(^6\) A ‘major’ application is defined in the Planning (Development Management) Regulations (Northern Ireland) 2015 but is essentially:

- Residential: 50 or more units or the site is or exceeds 1 hectare;
- Retailing, Community, recreation or Culture: creation of 1000sqm+ floorspace or the site is or exceeds 1 hectare;
3.3 Average determination times for major applications have been getting worse since April 2015. It should be noted that this definition changed significantly in 2014/15 so an analysis of historic trends is not readily achievable.

3.4 For the 2015/16 period, the average processing time for major applications was 46.4 weeks, which is well over the 30 week target. Only one District Council achieved this target during 2015/16 (Antrim and Newtownabbey). No Council achieved the 30 week target in the first half of 2016/17, and the average processing time during this period increased significantly to 70.4 weeks. This can be partly attributed to District Councils progressing long-standing inherited legacy applications: if the 65 determined legacy applications are excluded, the average processing time for the first half of 2016/17 reduces to 46.1 weeks (but this is still well above target).

3.5 During the 2015/16 period:

- 286 major applications were determined, of which 243 were legacy applications;
- 87% were approved;
- 16 applications were withdrawn;
- 145 new applications were received.

**PS2: Average time taken to determine local planning applications.**

3.6 The target set by the DfI is for the average time taken to be less than or equal to 15 weeks. Time periods and averages are measured in the same way as for PS1 above. A ‘local’ application is defined in the Planning (Development Management) Regulations (Northern Ireland) 2015.  

3.7 Average determination times for local applications have recently improved each quarter, falling from 21 weeks in Q3 15/16 to 16 weeks in Q2 16/17.

3.8 During the 2015/16 period:

- 11,188 local applications were determined, of which 4931 were legacy applications;
- 94% were approved;

- Business, industry, storage and distribution: creation of 5000sqm+ floorspace or the site is or exceeds 1 hectare.
- Minerals working: site is or exceeds 2 hectares (but, generally, is less than 25 hectares);
- Energy generation exceeding 5MW (but is less than 30MW).

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8 Source: [https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-july-september-2016](https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-july-september-2016). The data is table 8.2 was used (this differs slightly from the data in table 3.1).

9 ‘Local applications’ means an application defined as local development in the Planning (Development Management) Regulations (Northern Ireland) 2015, and any other applications for approval or consent under the Planning Act (Northern Ireland) 2011 (or any orders or regulations made under that Act). Applications to discharge conditions are excluded.
• 444 applications were withdrawn;
• 12,069 new applications were received.

**PS3 Proportion of enforcement cases progressed to the target conclusion within 39 weeks.**

3.9 The target set by the DfI is for 70% of enforcement cases to be concluded within 39 weeks. Enforcement cases are investigations into alleged breaches of planning control under Part 5 of the Planning Act (Northern Ireland) 2011 (or under any orders or regulations made under that Act). Target conclusion means the achievement of one of the following outcomes of an investigation:

(i) Case closure;
(ii) Submission of a retrospective planning application;
(iii) Enforcement action under Part 5 of the Planning Act (Northern Ireland) 2011 (or under any orders or regulations made under that Act) which is measured as the date on which the appropriate enforcement notice or breach of condition notice was issued;
(iv) Summons to court – which is measured as the date on which the District Council instructs its solicitor to progress summons action to court.

3.10 During the 2015/16 period:
• 2712 enforcement cases were concluded;
• 77.2% were concluded within 39 weeks, which comfortably exceeds the 70% target. Only one District Council failed to achieve the target;
• Of the 2712 concluded cases, 2640 enforcement cases were closed, of which:
  o 695 were remedied/resolved;
  o 406 were granted planning permission;
  o 438 were not expedient to pursue;
  o 918 cases did not represent a breach of planning control;
  o 179 were immune from enforcement action; and
  o 4 were allowed at appeal/the Enforcement Notice was quashed;
• 2914 new enforcement cases were opened.

**Other Indicators**

3.11 In addition to the above indicators, the DfI records its own performance in terms of average time taken to determine regionally significant planning applications for which it has jurisdiction. The Departmental targets and indicators are currently under review.

**Data Analysis**

3.12 Data for indicators PS1 to PS3 is collated via a shared Planning Portal IT system. Data quality is checked by the DfI’s Analysis, Statistics and Research Branch. The Branch then publishes a quarterly statistical bulletin with a comprehensive commentary about actual performance and past trends. This publication fulfils its purpose of statistical reporting and analysis, although the content reflects process rather than outcomes. This topic is considered further below.

3.13 It is noted that most of the statistical analysis is based on comparing the latest quarterly returns with the same quarter in the previous year. This approach seems to inherently imply that workload or performance fluctuates on a seasonal basis, and that Q2, for example,
should be expected to reflect Q2 last year. It is accepted that there are aspects of the
construction industry that are seasonal and might track backwards through project
management timetables into the planning system, for example:

- Launching sales on a housing development in Spring when people start
  thinking of ‘nest building’;
- Avoiding concrete pours or significant excavations during freezing or very
  wet weather;
- Opening a business to coincide with peak trade e.g. Christmas;
- Opening a new school to coincide with the academic year.

However, the biggest impacts on workload and performance in the last decade have related
to the global economic downturn, the introduction of new legislation (such as pre-
application consultation on major applications) and the transferring of planning powers to
District Councils. There is no seasonal aspect to those events, and it might be more
beneficial to compare the latest quarter’s performance with the preceding quarter or a
rolling 12 month period, for example.

4.0 Performance Management:

4.1 Before making recommendations for a Planning Performance Framework for Northern
Ireland, it is important to consider two interrelated issues. Firstly, what can performance
management achieve, and secondly what does ‘good’ look like? Essentially, effective
performance management needs to carefully consider what is being measured and why,
what the results tell us, and whether or not the results will inform future behaviour,
priorities or service delivery.

What can performance management achieve?

4.2 It must be recognised that while performance management is a vital tool for improving the
planning service, it does not in itself deliver better outcomes. If used improperly,
performance management can actually drive perverse outcomes. For example, an
unhealthy focus on decision speed can result in either quick refusals\(^{10}\) (which help no-one),
or the approval of mediocre development, which fails to achieve the objective of creating
attractive places to live and work in: sustainable places for the well-being of current and
future generations. However, it must also be recognised that unduly slow decisions hinder
economic development and create uncertainty for all parties. A balance needs to be struck.

4.3 Performance management does, however, provide an important opportunity to reflect on
performance, benchmarking against previous performance, the NI average, and also making
comparisons with other Authorities. By identifying and investigating areas of best practice,
Planning Authorities can share with each other areas of success and, where applicable to
local circumstances, that best practice can be applied to, or adapted to suit, other planning
departments.

What does ‘good’ look like?

4.4 The planning system can be a complex mix of legislation, politics and public opinion. Its
purpose is to deliver sustainable development by making balanced judgements informed by

\(^{10}\) This was documented in the DCLG’s 2008 Planning for Homes publication in England in 2008 based on
evidence collated by the National Audit Office. Reported in Planning magazine 09 January 2009 (page 4).
the often competing objectives of numerous stakeholders. In terms of outcomes, the planning system has numerous customers.

4.5 However, it is sometimes worth trying to distil matters back to simple concepts. In its most basic sense:

- The customer of the planning service is the applicant. If there were no applicants wanting to carry out development, there would be no planning applications to determine, nothing to consult on, no need for a Development Plan, and no planning service to provide;
- Ultimately, the customer wants one thing: to get planning permission;
- Ultimately, the Planning Authority wants one thing: to give planning permission for acceptable development. ‘Acceptable’ relates to quality, design and location, all of which would normally be the aims of planning policy.

4.6 In terms of enforcement:

- The customer is the complainant. This might be a resident, Councillor, interest group or Council officer, but if nobody ever spotted and reported unauthorised development, there would be no enforcement complaints and therefore no enforcement service;
- Ultimately, the customer wants the material planning harm to be addressed (this might be via removal of the breach, amendments to the development/use, or simply regularisation, as sometimes the reason for the complaint is that something is unauthorised rather than actually causing harm);
- Ultimately, the Planning Authority wants the material planning harm to be addressed.

4.7 While this is clearly an overly simplistic view, it does illustrate that in most cases, the customer and the planning department share the same goal. The main disagreement comes over whether or not a development is acceptable in planning terms.

4.8 To both the Planning Authority and the immediate customer, therefore, ‘good’ could be defined as:

- Quick approval of acceptable development;
- Prompt and robust enforcement action against unacceptable unauthorised development.

To the Planning Authority, ‘good’ is also the robust refusal of unacceptable development and defence at appeal, although applicants may not recognise this as ‘good’.

The wider community and other stakeholders would probably generally agree with the above statements, although the definition of ‘acceptable’ development would be disputed, and the focus would likely be more on a quality outcome than speed. However, it is considered that most people would recognise the importance of timely decisions in terms of
certainty for all parties and to avoid deterring economic growth or regeneration. Acceptability and quality are relatively subjective and inherently difficult to measure.

4.10 Feedback and discussion at the Heads of Planning workshop identified the following as traits of a good service:

- Customer focus;
- Communication/engagement;
- Accessibility of advice and information;
- Certainty of outcome and timescales;
- Equality

4.11 To help inform the Performance Framework, 93 regular planning agents and developers were contacted by email and asked, very simply:

"What is important to you as a customer of the Northern Ireland planning service?"

A detailed questionnaire was deliberately avoided so that responses were not led in any way by the questions. For example, if options are given or references made to, for example, decision speed, the respondent instantly has decision speed in their mind as a potential issue. 14 responses were received. Although a poor response rate, this should not detract from the value of the responses received which contained a number of consistent themes.

4.12 The top 5 characteristics of a good service were:

1. Timely, honest and open communication with customers;
   This does not lend itself to a performance indicator however it is recommended that complaints and complements are reported on in the Council’s APR.
2. Prompt decisions and an appreciation of the economic implications of delays;
   This will be measured by PI3-PI7.
3. A positive outcome (i.e. obtaining planning permission;
   This will be measured by PI9.
4. Properly resourced planning departments;
   This does not lend itself to a performance indicator, however APRs in Wales contain information about staff structures and resources and the same approach could be adopted in Northern Ireland.
5. Confidence to interpret policy and make decisions.
   This does not lend itself to a performance indicator directly, although there are links to the proposed indicators on decision speed, Committee overturns, and appeal success rate. The proposed customer survey would also provide further customer insight.

5.0 Previously proposed changes and ideas from elsewhere:

5.1 In February 2015, the DfI consulted on a proposed Performance Management Framework and suite of proposed additional indicators\(^{11}\). Unfortunately the timing of this work coincided with Local Government reorganisation and therefore only three of the new 11 Councils submitted a response. The DfI considers that the time is now right to re-examine this topic, and the District Council planning departments are now able to actively engage in the discussion.

\(^{11}\) See Appendix 1
5.2 Notwithstanding the low response rate in 2015, the replies have been taken into account. In particular:

- Respondents sought a more collaborative approach between the DfI and District Councils in setting out the framework. The DfI has sought to implement this request via the Heads of Planning workshop and future engagement associated with this report and draft proposals;
- Concern was raised regarding the number of proposed indicators and the associated resource implications. Regard has been had to this feedback in producing the draft framework;
- It was agreed that, to inform this work, the Department should set out its strategic objectives for planning in Northern Ireland. These objectives would then be used as a framework to help identify suitable measures of outcomes. Regard has been had to the Strategic Planning Policy Statement published in September 2015 in producing the draft framework.

5.3 Although the DfI advises that the proposed Planning Performance Framework need not be constrained by the previous 2015 proposals, some of the 18 initial suggestions had merit, in particular those relating to Plan-making and those relating to the quality of decisions made (Committee overturns, appeal decisions and Ombudsman/Judicial Review decisions). Others are considered to add little value to shaping improved services (for example the number of Planning Committee meetings held).

**Strategic objectives for planning in Northern Ireland**

5.4 The Strategic Planning Policy Statement was published in September 2015 and states (paras 2.1-2.2) that the objective of the planning system is to secure the orderly and consistent development of land whilst furthering sustainable development and improving well-being. Planning Authorities should therefore simultaneously pursue social and economic priorities alongside the careful management of built and natural environments for the overall benefit of society.

5.5 Planning Authorities should prioritise timely and predictable decision-making to support positive place-making and effective stewardship that contributes to shaping high quality sustainable places in which to live, invest, work and spend leisure time. The SPPS identifies economic growth as a key dimension of sustainable development for Northern Ireland. This requires the planning system to continue to provide protection to the most cherished aspects of the built and natural environment, while unlocking development potential, supporting job creation and aiding economic recovery for the benefit of all.

5.6 Paragraph 4.2 identifies the core planning principles of the two-tier planning system as:

- Improving health and well-being;
- Creating and enhancing shared space;
- Supporting sustainable economic growth;
- Supporting good design and positive place-making; and
- Preserving and improving the built and natural environment.

Wales

5.7 The 2015 Planning (Wales) Act marked the introduction of a desire to create a positive planning system, facilitated by culture change from all parties involved. The new legislation
has built upon previous performance measurements and introduced various new measures, such as a requirement on Local Planning Authorities to produce an Annual Performance Report (APR), the ability for Authorities to agree extended deadlines with the applicant for determination of their application, a requirement for LPAs to refund the application fee if the application is not determined within a deadline, and the power for the Welsh Government to step in if an LPA is consistently poorly performing. Not all of these measures are welcomed by Local Planning Authorities and concerns are often expressed that they have the potential to drive perverse behaviour and do not align with the aspiration for placemaking.

5.8 A Planning Performance Framework\(^\text{12}\) has been developed in close partnership with Local Planning Authority representatives via a working group. The framework comprises 19 performance indicators and a further 7 Sustainable Development Indicators. The 19 performance indicators fall into five categories:

5.8.1 Plan-making:
- Is there an adopted (in date) Development Plan?
- Is the LDP progressing in accordance with the original Delivery Agreement timetable?
- If the LDP has been adopted, has an Annual Monitoring Report been submitted?
- Does the LPA have a 5 year housing land supply (NB the way this is now measured is causing a significant issue for LPAs)?

5.8.2 Efficiency:
- % major\(^\text{13}\) applications determined within 56 days (8 weeks) or within the agreed timescale\(^\text{14}\);
- Average time\(^\text{15}\) in days to determine major applications;
- % all applications\(^\text{16}\) determined within 56 days or within the agreed timescale;
- Average time in days taken to determine all applications;
- Proportion of applications determined under delegated powers;

5.8.3 Quality:
- % decisions made under delegated powers;
- % decisions made by Planning Committee that were against officer advice;

\(^{12}\) See Appendix 2
\(^{13}\) A major application is defined as 10 or more dwellings, 1000sqm + of additional commercial floorspace or a site area of 1 hectare or more (or 0.5ha if an outline application for residential development but the number of dwellings is not known).
\(^{14}\) The agreed timescale is 8 weeks from date of receipt of a valid application, or any other deadline agreed in writing with the applicant. It is worth noting that the only time the clock is paused is if the application fee cheque bounces. It is not paused for any other reason (for example if extra information is required). If a S106 planning agreement is required (equivalent to NI’s S76), the clock stops when a formal resolution is made to grant planning permission subject to that legal agreement.
\(^{15}\) Unlike NI, the average is measured as the arithmetic mean (i.e. total number of days divided by the number of applications). This means outliers are included in, and can heavily skew, the result.
\(^{16}\) ‘All applications’ includes a very similar if not identical range of applications to the NI ‘local development’ category, however importantly it also includes major applications too, so majors are effectively counted twice in Welsh statistical returns.
• % appeal decisions that upheld the Council’s decision;
• Number of cases where costs were awarded against the Council at appeal;

5.8.4 Engagement:
• Can the public speak at Planning Committee meetings?
• Is there a ‘Duty officer’ service to provide public advice?
• Does the LPA website allow applications to be viewed and commented upon?

5.8.5 Enforcement:
• % enforcement cases ‘investigated’\(^{17}\) within 84 days;
• Average time taken to investigate enforcement complaints;
• % enforcement cases ‘resolved’\(^{18}\) within 180 days;
• Average time taken to resolve enforcement cases.

5.9 The Sustainable Development Indicators attempt to measure the contribution of planning to wider Welsh Government objectives, namely:
• Floorspace approved/refused for new economic development on allocated employment sites;
• Planning permission granted for low carbon energy development (number of applications for stand-alone renewable energy schemes exceeding 5MW, and the number of megawatts approved/refused);
• Number of dwellings approved (market/affordable);
• Planning permission granted/refused for development within flood zones (number of dwellings/amount of floorspace);
• Amount of development approved on greenfield vs brownfield sites;
• Amount of public open space lost or gained as a result of planning permissions;
• The amount of money secured via planning contributions.

These Sustainable Development Indicators have been useful in illustrating the positive contribution of planning as well as providing evidence to counteract ‘planner-bashing’ by politicians, developers or the media. However, data collection has been particularly problematic and still (two years in) requires a considerable amount of manual collation, for example counting how many of the approved homes lie within the designated flood plain. The measures combine data retrieval with spatial analysis, for example identifying decisions relating to economic development (easy), identifying which of those are located within LDP allocated employment sites (manual check due to limitations of IT systems) and then extracting the floorspace area for those applications. Approximately 40% of planning applications in Wales are submitted electronically via the Planning Portal. Where back-office systems are capable, the information from the application form can be automatically uploaded. In all other cases, the data must either be manually entered (which is resource

\(^{17}\) ‘Investigated’ means the time taken from receipt of complaint to notifying the complainant of whether or not a breach of planning control has occurred, and what action the LPA proposes to take. The 84 day period is an unusually generous period carried forward from when this indicator measured ‘Cases resolved’, which was very similar to NI’s PS3.

\(^{18}\) ‘Resolved’ means that the enforcement case is fully closed, e.g. there is no breach; action is not expedient; planning permission has been granted; an Enforcement Notice has been complied with; or the breach has otherwise ceased or been removed.
intensive) or manually checked for relevant cases for statistical returns. Some of these difficulties would be reduced or avoided if all Authorities used the same IT system, a significant benefit in Northern Ireland. To date, full statistical returns are still not being provided by all LPAs, limiting the use of the data that is collected.

5.10 It is worth noting that data quality is not checked by the Welsh Government. LPAs are expected to take responsibility for their own data and carry out any necessary checks before submitting it. There is an opportunity to explain errors in the Annual Performance Report, but the published data remains the published data after a cut-off date. This approach is still bedding-in, but in principle is supported: the data should be right the first time and it is the LPA’s responsibility to ensure this is the case. It is, after all, their data.

England

5.11 In England, there is a mix of two tier (County and District) Councils and Unitary Authorities. Statistics are reported separately for the two systems, which makes any meaningful understanding of the wider planning system unduly complicated. Local Planning Authorities are not required to produce an Annual Performance Report; however the Department for Communities and Local Government (DCLG) does produce a quarterly statistical report on key performance data.

5.12 A significant number of performance indicators are reported upon, and split between County and District decision-making, including:

- Number of applications determined and the approval rate;
- % major applications determined within 13 weeks (91 days) or within an agreed deadline, both as an inclusive figure and separating out those with an extension of time (EoT) or planning performance agreement (PPA);
- % non-major\(^{19}\) applications determined within 8 weeks (56 days) or within an agreed deadline;
- % household applications determined within 8 weeks (56 days) or within an agreed timescale;
- Proportion of applications determined under delegated powers;
- Appeal success rate;
- Enforcement activity (number of formal notices issued or injunctions taken out);
- As contextual information only, the number of applications approved for residential development is recorded. This data is submitted by LPAs. However, a private company (Barbour ABI) is contracted to extract and collate supplementary information for the DCLG on the number of units granted permission;
- Traveller pitches approved and time taken to determine the applications;
- Data is also recorded on England’s new controversial and complicated system of prior approvals for larger household extensions, and conversions of offices, warehouses, agricultural buildings, casinos etc. to residential units. The submitted information records how many cases were deemed to not require prior approval, and of the remainder, in how many cases prior approval was refused or granted.

\(^{19}\)‘Non-major’ developments includes the categories previously referred to as ‘minor’, ‘householder’ and change of use.
5.13 The quality of data submitted is checked by the DCLG and queried with the LPA if necessary, similar to the approach in Northern Ireland.

5.14 Since April 2014, ‘extensions of time’ or performance agreements can be used for all application types, not just major applications, although anecdotal evidence from conversations with colleagues in English LPAs suggests many were unaware of this provision until late 2015/16 so the results are likely to only now be evident in published statistics. The effect on ‘in time’ major decisions is clear, with 0% of major applications having an EoT agreement in Q2 2009/10 rising to 55% in Q2 2016/17. During that period performance has ‘improved’ from 70% to 80% of major applications determined within time, albeit with a trough in the middle reflecting the economic downturn that is also reflected in NI and Welsh performance statistics. The phrase ‘improved’ is used in inverted commas because the applications have not been determined more quickly, they have simply been outside of the 13 week target but with the applicant’s agreement. This is, however, an important reflection of the importance that applicants place on getting a positive decision over simply a quick decision.

Scotland

5.15 Scotland introduced a Planning Performance Framework in 2012 which measures:

- Number of applications determined and the approval rate;
- % major applications\(^{20}\) determined within an agreed deadline, both as an inclusive figure and separating out those with an extension of time (EoT) or planning performance agreement (PPA);
- Average time\(^{21}\) taken to determine major applications (but this measure excludes any applications subject to separate processing arrangements e.g. EoT or PPA);
- % local development\(^{22}\) applications determined within 2 months;
- Average time taken to determine local development applications (excluding legacy cases);
- % householder applications determined within 2 months;
- Average time taken to determine householder applications (excluding legacy cases);
- Proportion of applications determined under delegated powers;
- Success rate at local review appeals and appeals to the Scottish Ministers;
- Enforcement activity:
  - Number of formal notices issued or injunctions taken out;
  - Number of breaches taken up (i.e. there is a breach of planning control);
  - Number of cases resolved

The latter two items were recently added because LPAs considered that recording only formal notices meant a lot of informal negotiation, mediation and action was ‘hidden’.

\(^{20}\) Major developments include applications for 50 or more homes or where the site area exceeds 2 hectares, as well as certain waste, water, transport and energy-related developments (20MW+), larger retail developments, and other types of major developments (10,000sqm +).


\(^{22}\) Both the arithmetic mean and the median are measured. However, unlike Wales, applications subject to Processing Agreements are excluded. Applications involving a legal agreement are recorded separately.

\(^{22}\) The definition of ‘local development’ appears to be identical to the NI definition.
5.16 Of note:

- The Scottish data for LPA performance excludes legacy cases (those registered prior to 3rd August 2009). These are reported separately on the basis that they can badly skew results;
- The PI definitions allow the clock to be stopped when issues arise that are beyond the LPA’s control. In Q1 2016/17, this occurred on 289 out of 9327 determined applications, and the average period for which the clock was stopped was a not insignificant 18.6 weeks. Actual results for that quarter ranged from 0 (4 LPAs out of 34 did not stop the clock at all) to 185.6 weeks. The clock can only be stopped when additional information has not been provided within a reasonable specified period. Reasons for stopping the clock include:
  o Inactivity while the land transaction was on hold (correspondence to that effect from the developer must be provided as evidence);
  o Applicant failed to provide amended drawings on time despite repeated requests and meetings. Correspondence from planning authority to applicant, chasing up the request (minimum one reminder) must be provided as evidence;
  o Site survey required in relation to European Protected Species that must await a particular season. Correspondence showing that survey was necessary, requesting survey from applicant and demonstrating when it was carried out must be provided as evidence;
  o Delay in consultation response from external consultee. Correspondence from planning authority to consultee chasing up the request (minimum one reminder) must be provided as evidence;
- The published statistics reports both the mean and median time taken to determine major applications, and also reports the percentage of decisions that were quicker than the mean, rather than the percentage within a specified target. The graph below for Q1 2016/17 usefully illustrates the effect of using these two different figures as an average and gives an idea of how this different approach between Wales and Northern Ireland affects the published figures;
5.17 National developments are mainly large public works (for example, the regeneration of the former Ravenscraig steelworks) and are identified in the National Planning Framework ([http://www.gov.scot/Topics/Built-Environment/planning/National-Planning-Framework](http://www.gov.scot/Topics/Built-Environment/planning/National-Planning-Framework)). National Developments are not included in the published planning performance statistics.

5.18 In addition, a number of ‘Markers’ are reported on by the Scottish Government in relation to Plan-making. These are detailed further below. In its report, the Scottish Government scores Planning Authorities on their performance:
RED - Where no information or insufficient evidence to meet the markers has been provided, a ‘red’ marking is allocated;
AMBER - An amber marking shows that some evidence has been provided and that work is ongoing in the area, with further improvements needed; or that there is a commitment to move this work forward; and
GREEN - Green signifies that an authority is meeting the requirements of the marker on all levels.

**Strengths and weaknesses of performance management indicators elsewhere**

5.19 The following matters are considered to be strengths and weaknesses of existing systems in Northern Ireland, Wales, England and Scotland which could inform the Northern Ireland Planning Performance Framework:

5.20 **General**

- The collaborative approach to setting and defining performance indicators and reviewing targets operating in Wales has helped provide generally meaningful, measurable and robust indicators and secure buy-in from both parties.
- The use of Annual Performance Reports in Wales and Scotland encourages LPAs to reflect on performance against previous years. The APR also provides an opportunity for each Authority to tell the story behind their statistics. This might include a conscious decision corporately to prioritise quality rather than speed, or might highlight a particular resource issue, or identify training needs. In Wales, they are used to compare performance against other LPAs and the Welsh average, and the Planning Officers’ Society for Wales is seeking to use them to identify and learn from best practice elsewhere. In contrast, Scotland’s APRs seem to focus on internal benchmarking only.
- Notwithstanding the benefits of APRs, they tend to be process and performance oriented, rather than outcome focused. However, this is within the gift of the LPAs, as authors, to change. Heads of Planning Scotland suggest that their APRs are more outcome focused rather than procedural/process focused. Glasgow’s 2015-16 APR provides a good example containing several case studies of positive outcomes. This approach would benefit from further research.
- The headings used in Wales provide a logical and comprehensive framework.
- Feedback from the workshop expressed concern regarding the resource implications of having too many, or unduly complex, indicators. The 26 indicators used in Wales was considered by most present to be too many. This is definitely the case when supplemented by over 60 indicators contained in the LDP Annual Monitoring Report. While England has a lower number of performance indicators, they are reported in two groups against County (or Unitary) and District Councils, making it difficult to get an overall picture of performance.
- Feedback from the workshop was that the Welsh Sustainable Development Indicators were a good idea but the difficulties in collating the information made them impractical. It is recommended that a small number of similar measures are introduced in Northern Ireland now to measure three priorities identified in the SPPS: housing delivery (especially affordable housing), economic growth and renewable energy. In

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23 These comments about strengths and weaknesses represent the author’s personal opinion.
24 Glasgow’s APR.pdf
the longer term, these measures should be recorded via LDP AMRs. However, there is significant merit in District Councils agreeing a consistent indicator definition to provide a Northern Ireland-wide figure (see APR section below).

5.21 Plan-making

- The Scottish Government’s annual report\(^\text{25}\) includes an indicator relating to LDP age, and another reporting on LDPs less than 5 years old (Markers 6 and 7). The merit of such an indicator is debatable: if an LDP is delivering on its objectives, and those objectives are still relevant and appropriate, the Plan’s age is arguably of limited importance. In contrast, a young LDP might not be delivering but would score highly against this indicator. It is considered that an LDP Annual Monitoring Report is a better indicator of the quality or effectiveness of an adopted Plan;
- Notwithstanding the above, in a Plan-led system there should be paramount importance placed on each Council having an in-date adopted Development Plan. The Welsh indicator is simple and effective in monitoring this;
- The Welsh Framework includes an indicator to measure progress of emerging LDPs against a timetable formally agreed by the relevant Welsh Minister (the Delivery Agreement (DA)). Authorities are able to request approval of revised Delivery Agreements, however this indicator measures against the original DA, which seems odd given that a new timetable has been approved. There is merit in monitoring how long LDPs take to adopt, but caution must be exercised in assuming that quick equates to good. The benefit of measuring LDP production against a bespoke timetable for each Council is that this acknowledges local complexities and resource challenges;
- Scotland includes two indicators (Markers 9 and 10) to seek to measure Elected Member and other stakeholder engagement in the early stages of the LDP. This appears to rely on very subjective judgements on statements about engagement. This is perhaps better covered via APR commentary in relation to an indicator regarding the Statement of Community Involvement.

5.22 Efficiency

- The use of both % ‘in time’ and average speed indicators gives a rounded picture. In Wales, previously only % in time was recorded, which resulted in a temptation to put older applications to one side to chase quick decisions on new applications;
- The use of extensions of times allows a balance to be struck between speed and outcome. An applicant can agree to allow more time to secure their desired outcome, but has the ability to refuse a further time extension if matters are not progressing quickly enough. The right of appeal against non-determination would then kick-in. This approach was welcomed by the workshop;
- Punitive measures (such as application fee refunds in Wales) should not be introduced. These incentivise perverse behaviours and focus limited resources in avoiding mistakes: resources that would be better used delivering a positive service. In a similar way, a combination in England of the introduction of powers to remove LPA powers/apply directly to the Government and the use of financial incentives for ‘highly performing’ LPAs resulted in a demonstrable focus on decision speed. This does not equate to positive outcomes or good customer service: a refusal the day before a deadline simply

to meet a target means the customer must reapply and start the process from the beginning. This benefits no-one;

- The Scottish approach to measuring both the mean and median is considered to be worth replicating;
- The Scottish approach to measuring legacy applications separately is sensible and should be replicated in Northern Ireland. Similarly, the Welsh approach to excluding withdrawn applications from statistics is sensible.

5.23 Quality

- The indicators relating to appeal decisions and sustainable development indicators seek to measure aspects of quality and/or outcome;
- A measure relating to complaints upheld (internal, Ombudsman, JR) was supported at the workshop. However, it is considered that this information could be included in the APR as contextual information rather than forming a performance indicator. The number of complaints or challenges might reflect the nature of the local community as much as it reflects the quality of service offered by the District Council. A high number of judicial reviews but low number of successful challenges might be considered to show a robust decision-making, or it might reflect a lack of trust in the decision-making process;
- Although not a performance indicator, the Planning Officers’ Society for Wales has agreed a standardised customer survey, the results of which are used for benchmarking and service improvement purposes. LPAs voluntarily choose to include the results from this survey as part of their APR. The questionnaire itself is based on one developed by the Planning Advisory Service in England. It is not perfect, but is worth consideration in a Northern Ireland context as additional information for the APR (not a performance indicator). It is recommended that this decision be left to the planning departments themselves.

5.24 Engagement

- Scotland’s indicator relating to Member and community involvement in the LDP is considered to be something better reported as commentary alongside the proposed indicator relating to the CIS;
- The Welsh indicators relating to engagement offer a degree of insight into ways in which members of the public can engage with the planning service, and involve limited effort in terms of providing the information for the APR;
- There was discussion at the workshop regarding the merits of an indicator measuring the number of objections or comments of support on a planning application. However, this would be difficult to capture and is also not necessarily a good measure of the planning department’s performance.

5.25 Enforcement

- The recent changes to the Welsh enforcement indicators are unclear. There are multiple different PI definitions in different documents/locations, the variations in data submitted make it clear that the indicator is not being measured consistently or accurately in some Authorities, and the relevance of the answer is debatable;
• The English measure simply records instances where formal enforcement action has been taken, which fails to capture the majority of work which is focused on resolving breaches of planning control via informal action;
• The current NI indicator (PS3) is considered to work well.

5.26 Sustainable Development Indicators
• The sustainable development indicators in Wales are well-intentioned but unwieldy and impractical to measure properly. This is not helped by the fact that the 25 Local Planning Authorities use a variety of back office IT systems;
• The workshop expressed concern at too many indicators. The SDIs were considered to be too much too soon. It is recommended that key matters such as housing approvals and completions could be recorded via LDP AMRs using a Northern Ireland-wide agreed definition.

5.27 LDP Annual Monitoring Report
• It is recognised that the Regulations require Northern Ireland’s District Council planning department so produce an Annual Monitoring Report following adoption of their LDPs. Experience in Wales in particular has shown that there is a widespread tendency to set an excessive number of targets and indicators in the LDP and accompanying Sustainability Appraisal, many of which are subsequently found to be of limited meaning and/or very difficult to collect. Moreover, a number of indicators are similar to but subtly different from the Sustainable Development Indicators which can cause confusion;
• A suggestion was raised at the workshop regarding the merits of measuring the number of decisions made that are contrary to the adopted LDP. In theory these should be few in number and it is considered that these are better measured via the AMR process.

5.28 Other
• The following potential performance measures were discussed at the Heads of Planning workshop:
  • Including a measure relating to the number of applications that are invalid when submitted. This would record an area of work that is typically hidden, however it is more a measure of the applicants/agents than of the performance of the planning department. Planning departments may wish to measure this informally and use the information gathered to provide improved guidance or training for agents;
  • There was a discussion regarding the impact of planning decisions on increasing Council Tax/Business Rates income, however this should not be a material planning consideration when making decisions, and to record it as a performance indicator could give communities the impression that this matter is given undue consideration when granting planning permission;
  • Reference was made to the Republic of Ireland’s cut-off deadline of 5 weeks within which comments on applications must be lodged, as well as the €5 charge for objecting. A cut-off deadline might well resolve an issue with slow consultee responses delaying planning decisions, but it would arguably not improve or assist decision quality. Such a cut-off would require a legislative change which is not within the remit of this report;
A measure was suggested which records the proportion of applications that were subject to pre-application discussions and were subsequently approved. This could measure the effectiveness of pre-application discussions and the impact it has on speeding up the planning application process. This would be a valuable measure, but might be difficult to collate. It is worthy of further discussion.

5.29 The draft Planning Performance Framework indicators were presented to a meeting of the Heads of Planning on 13th January 2017 as well as being considered by the DfI Planning Division and Analysis, Statistics and Research Branch. Feedback from those parties has shaped the final Framework. Appendix 3 summarises the issues raised and resulting changes.

6.0 Proposed Performance Framework:

Having considered the measures used elsewhere, the current NI measures, customer feedback and feedback from the Head of Planning workshop, the following performance framework is proposed.

The following performance indicators are proposed, based primarily on those from the February 2015 DfI consultation and/or Welsh indicators. While it is acknowledged that most of these measures will be a yes/no/not applicable response, they mark important aspects of the planning service and are therefore worth reporting on. The resource implications for providing this information will be minimal.

Plan-making:

PI1 Has the Council:

a) had its Statement of Community Involvement (SCI) agreed by the Department?
Yes/Submitted but awaiting DfI decision/No. The Annual Performance Report (APR) can include an explanation if applicable, including consideration of the extent to which the SCI is operating effectively.

b) Published its Preferred Options Paper?
Yes/No. The Annual Performance Report (APR) can include an explanation if applicable.

c) Published its Plan Strategy?
Yes/No. The Annual Performance Report (APR) can include an explanation if applicable.

d) Published its Local Policies Plan?
Yes/No. The Annual Performance Report (APR) can include an explanation if applicable.

Rationale: This indicator directly relates to the primacy of the Plan-led system as per Section 6(4) of the 2011 Act and paragraph 5.11 of the SPPS. In a Plan-led system, the production of up-to-date Local Development Plans is essential to deliver sustainable development. This indicator measures progress towards Plan adoption.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017.
PI2 Has the Council submitted its Local Development Plan (LDP) Annual Monitoring Report (AMR)?

Yes/Not applicable/No. The APR can include an explanation if applicable. The AMR would detail the extent to which the objectives set out in the Local Development Plan are being achieved. This indicator would not be applicable until a full year following LDP adoption, which is some time off.

Rationale: In a Plan-led system, the effective operation of adopted Local Development Plans is essential to deliver sustainable development. This indicator ensures adopted LDPs are monitored annually to ensure they are delivering on priority targets.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017 (acknowledging that the response will be ‘not applicable’ for a number of years until emerging LDPs are adopted).

Efficiency:

PI3 Average time taken to determine major applications

This indicator is the existing PS1 but amended to:
- exclude legacy applications, as per the Scottish system. Legacy applications should continue to be recorded as they are still applications determined, however they currently distort the picture of District Council performance. Legacy applications should be recorded separately as a new indicator. This need not have any additional resource implications for District Councils, because it should be possible to electronically separate out legacy applications based on the date valid being before 1st April 2015;
- exclude withdrawn applications from the measurement: the decision to withdraw an application is made by the applicant not by the District Council. Withdrawn applications have normally stalled for a significant period due to circumstances beyond the Council’s control. These applications should not be recorded anywhere other than as a number of applications withdrawn each quarter/reporting period.

The ‘agreed timescale’ would be a set target or an alternative deadline agreed in writing between the applicant/agent and planning department on a case by case basis. This allows a balance to be struck between making timely decisions and securing good outcomes. The applicant can decline the requested time extension and retain their right of appeal against non-determination once any agreed time period has passed. The current 30 week average target might be an appropriate starting point, with the target being reviewed in liaison with District Council representatives via a working group. Legacy and withdrawn applications should be excluded.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. The average time indicators measure speed of decision-making.

Resource implications: Low. The DfI’s Analysis, Statistics and Research Branch can easily electronically exclude legacy applications based on the date valid and exclude withdrawn applications based on the decision type.

Timescale: This PI can be measured from April 2017.

PI4 Percentage of major applications determined within the agreed timescale
This indicator would measure the proportion of applications determined either within a set
target or within a deadline agreed in writing by the applicant/agent on a case by case basis.
Legacy and withdrawn applications should be excluded. PS1 measures performance against
trends rather than against an ‘acceptable’ time period. Paragraph 5.45 of the SPPS identifies
the importance of timely decisions on major applications due to the important economic,
social and environmental benefits that they can deliver.

The ‘agreed timescale’ would be a set target (currently 30 weeks) or an alternative deadline
agreed in writing between the applicant/agent and planning department on a case by case
basis. This allows a balance to be struck between making timely decisions, the applicant
obtaining planning permission and securing good outcomes. The applicant can decline the
requested time extension and retain their right of appeal against non-determination once
any agreed time period has passed. Based on current performance, the existing 30 week
average target is an appropriate starting point. With time, the target can be reviewed in
liaison with District Council representatives via a Performance Working Group. Legacy and
withdrawn applications should be excluded.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive
picture of the efficiency of the planning service. This indicator seeks to balance measuring
speed against securing a positive outcome for both the customer and stakeholders.

Resource implications: Moderate. It will be necessary to record performance against an
agreed extension of time, while retaining the 30 week target date for reporting on PI3. At
present, the Portal IT system cannot record a decision deadline and an agreed extended
deadline. The options are to either record this data separately from but alongside the
Portal, or await a future update to/replacement of the Portal (estimated 2019).

Timescale: Only if a parallel data recording system is adopted can this PI can be measured
from April 2017.

**PI5 Average time taken to determine local applications**

This indicator is the existing PS2 but amended as per PI3 (PS1) above to exclude legacy and
withdrawn applications.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive
picture of the efficiency of the planning service. The average time indicators measure speed
of decision-making.

Resource implications: Minimal. The DfI’s Analysis, Statistics and Research Branch can easily
electronically exclude legacy applications based on the date valid and exclude withdrawn
applications based on the decision type.

Timescale: This PI can be measured from April 2017.

**PI6 Percentage of local applications determined within the agreed timescale**

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26 From April to December 2016, the Northern Ireland average (median) time taken to determine major
applications was 45.8 weeks (it was 70.0 weeks including legacy applications). Source: DfI Q3 16/17 statistics.
As per PI4 above. The current 15 week average target is an appropriate starting point based on current performance\textsuperscript{27}, with the target being reviewed in liaison with District Council representatives via a Performance Working Group. Legacy and withdrawn applications should be excluded.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. This indicator seeks to balance measuring speed against securing a positive outcome for both the customer and stakeholders.

Resource implications: Moderate. It will be necessary to record performance against an agreed extension of time, while retaining the 15 week target date for reporting on PI5. At present, the Portal IT system cannot record a decision deadline and an agreed extended deadline. The options are to either record this data separately from but alongside the Portal, or await a future update to/replacement of the Portal (estimated 2019).

Timescale: Only if a parallel data recording system is adopted can this PI can be measured from April 2017.

\textbf{PI7 \quad Average time taken to determine legacy applications}

As per the existing PS1 but excluding withdrawn applications, and reporting only on applications that have a date valid prior to 1\textsuperscript{st} April 2015. Given the age of these applications, a target is rather meaningless. It is acknowledged that this PI might capture applications lodged on 31\textsuperscript{st} March 2015 and therefore technically a legacy application but in reality dealt with wholly by the District Council but the number of such cases should be low.

In all likelihood, those easier and newer legacy applications have probably now been determined in any case. If desired, the legacy applications could be subdivided between major and local applications. APRs should include commentary on progress made in determining legacy applications and the number still undetermined.

Rationale: One of a suite of indicators that, when taken together, provide a comprehensive picture of the efficiency of the planning service. This indicator seeks to measure progress on determining legacy applications.

Resource implications: Low. The DfI’s Analysis, Statistics and Research Branch can easily electronically separate out legacy applications based on the date valid and exclude out withdrawn applications based on the decision type.

Timescale: This PI can be measured from April 2017.

Resource implications: Low. It should be possible for the DfI to run a report to extract this data based on information already collated.

\textbf{Quality:}

\textbf{PI9 \quad Percentage of applications approved}

Rationale: Alone this performance indicator does not say much, but read in conjunction with PI3-PI8 it provides a picture regarding the balance of speed versus a positive/quality

\textsuperscript{27} From April to December 2016, the Northern Ireland average (median) time taken to determine local applications was 15.0 weeks (it was 16.4 weeks including legacy applications). Source: DfI Q3 16/17 statistics.
outcome. It also provides evidence that the planning system is not blocking development and economic growth.

Resource implications: Minimal as this data is already recorded by DfI in its Statistical Reports.

Timescale: This PI can be measured from April 2017.

**PI10 Percentage of Committee decisions made against the Officer recommendation**

Rationale: When considered in conjunction with PI11 and PI12 the data provides a rounded picture of the quality of decisions, gives an indication of Officer-Member working relationships and could identify potential training needs. For example if Committee overturns are not upheld at appeal, this might indicate a training need for Committee Members. Conversely, if the overturns are upheld at appeal, it might indicate a training need for Officers.

Resource implications: Minimal. This data is already available via the Portal and can be collated and reported on by the Statistical Analysis and Reporting Branch.

Timescale: This PI can be measured from April 2017.

**PI11 Percentage of appeals against refusals of planning permission that are dismissed**

Rationale: It is suggested that this indicator should measure appeals against planning refusals only. Appeals against Enforcement Notices are low in number and can be discussed in the APR if desired. Appeals against non-determination of the application relate more to the absence of timely decision-making rather than the quality of the District Council’s decision and so these should be excluded. This PI measures the quality of decisions made, as the PAC either upholds or overturns the Council’s decision. The limitation is that this applies to refusals only, but this is unavoidable as there is no third party right of appeal against the grant of planning permission. It is recommended that Council APRs include information and commentary regarding corporate complaints and compliments, upheld Ombudsman complainants and Judicial Reviews, but it is not considered appropriate to include those items as a performance target.

Resource implications: Minimal. This data can be obtained from the Planning Appeals Commission.

Timescale: This PI can therefore be measured from April 2017.

**PI12 Number of appeal costs awards**

This indicator measures the number of occasions where a Planning Appeals Commissioner awards costs at appeal. Costs could be awarded against the Council, if for example the Commissioner considers that the District Council’s decision cannot be substantiated or its behaviour has been unreasonable during the appeal proceedings. Alternatively, costs can be awarded in favour of a Council if the appellant has behaved unreasonably or their case has no prospect of success.

The indicator measures the number of instances where costs are awarded, not the amount of costs awards (£). In response to feedback from the Heads of Planning, partial costs award will be recorded separately.
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Rationale: This indicator seeks to measure the quality of decisions made and/or the quality of service provided in terms of defending decisions at appeal in an open and timely way.

Resource implications: Low. This data can be obtained from the Planning Appeals Commission. Alternatively, these instances will be very low in number and so can be manually recorded if necessary.

Timescale: This PI can be measured from April 2017.

**Engagement:**

It is accepted that the following indicators arguably provide limited information; however it is considered that they are helpful in indicating appropriate measures of enabling public engagement with the planning service. Measuring the number of comments made on an application does not necessarily indicate good performance: a low level of comment might be because effective pre-application engagement means the community is happy with the proposal, or it might mean that they are unaware or disenfranchised. Conversely a significant response rate might not reflect the planning merits of the case. The benefit of reporting on the engagement information is that it highlights those Authorities where good practice is not in place, and the experience in Wales has shown that this has prompted LPAs to step up, for example only one out of 25 LPAs in Wales does not allow public speaking in Committee meetings. The resource implications of providing this information are limited.

**PI13 Does the District Council allow public speaking at Planning Committee meetings?**

Yes/No. The DfI has produced best practice guidance for a protocol for public speaking rights. Quite rightly, this is simply guidance, and each District Council has discretion to set its own rules to meet the needs of its communities.

Rationale: allowing public speaking is considered to be best practice and an important way of ensuring engagement in decision-making.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017

**PI14 Does the District Council have a planning officer on duty to provide general planning advice to customers?**

Yes/Partial/No. Consideration should be given to the level of service that should be provided to score a ‘yes’ (09:00-16:30 every working day is suggested). Offering a service but for fewer hours/days would be recorded as ‘partial’. The duty officer service could comprise arrangements to allow pre-booked or drop-in appointments to meet an officer, or simply a telephone service. The choice of service is at the discretion of the District Council based on its customer needs, geographic area and resources.
Rationale: Research elsewhere has identified that access to planning advice is important to customers: a customer survey could test whether or not the same is true in Northern Ireland: if not, this indicator could be deleted.

Resource implications: Minimal. The PI response requires a simple factual position update.

Timescale: This PI can be measured from April 2017.

**Enforcement:**

**PI15 Percentage of enforcement cases resolved within the target deadline:**

This is identical to the existing PS3 indicator, which is considered to work perfectly well in terms of measuring the initial stages in formally resolving a breach of planning control that lie fully within the Council’s control. An enforcement case is ‘resolved’ when one of the following actions has been taken:

a) it has been concluded that no breach of planning control has occurred;
b) it has been concluded that formal enforcement action is not expedient;
c) a retrospective planning application has been submitted;
d) an enforcement notice has been issued (to include Enforcement Notice, Breach of Condition Notice, Stop Notice, Unsightly Land Notice, Fixed Penalty Fine, Enforcement Warning Notice requiring submission of a retrospective application. It does not include issuing a Requisition for Information);
e) the breach has ceased (use ceased, building demolished etc.).

Rationale: timely and appropriate enforcement action is an essential part of the planning service. The steps are fully within the Council’s control. Reference to the 39 week target deadline has been removed from the PI title to allow greater flexibility to adjust this target in the future. Any such changes to the target should be agreed by the Performance Working Group.

Resource implications: none.

Timescale: This PI can be measured from April 2017.

**Outcomes:**

**PI16 Planning outcomes:**

i. Number of affordable housing units granted consent;
ii. The proportion of affordable housing units granted consent that are located within defined settlement boundaries\(^ {28}\);
iii. Number of market housing units granted consent;
iv. The proportion of market housing units granted consent that are located within defined settlement boundaries\(^ {29}\);
v. Total number of housing units completed\(^ {30}\);
vi. Amount of office floor space granted (net increase in sqm);
vii. Amount of retail floor space granted (net increase in sqm);
viii. Amount of industrial floor space granted (net increase in sqm);

---

\(^{28}\) A settlement boundary is that as defined in an adopted Area Plan or Local Development Plan

\(^{29}\) A settlement boundary is that as defined in an adopted Area Plan or Local Development Plan

\(^{30}\) This would be calculated using Building Control data
ix. Number of megawatts of renewable energy approved.

Rationale: The number of housing units approved, the amount of employment floorspace approved, and renewable energy promotion are considered to be important planning outputs that align with the Minister’s core objectives for the Northern Ireland planning system as set out in the SPPS. This indicator seeks to report on delivery against those priorities.

Resource implications: Moderate. Some of this data is already measured by some Councils but other data, while included on the application form (vi-viii) is not entered into the Portal at present and therefore cannot be retrieved without an inefficient manual search. Renewable energy production (ix) is not currently captured on the application form unless volunteered by the applicant. This data would in any case reflect the maximum potential output: the real output would depend on wind speed/hours of sunlight etc. so the data would need to be treated with an element of caution.

Timescale: It is recommended that this PI be introduced during 2017/18 as a trial run, with a view to collecting the data properly from 1st April 2018.

Other matters:
ix. Equalities:
The approval of Gypsy and Traveller sites forms an important part of addressing a specific housing need and meeting equalities objectives. However, it is recommended that this is best reported via LDP AMRs as delivery against the evidenced need in each Council area. In addition, it is understood that this is already reported on via each Council’s equalities reporting.

Consideration was given to whether or not other indicators would be appropriate to capture planning’s role in ensuring equality for Northern Ireland’s communities. However, the planning system primarily considers the land use implications of uses of land/buildings or physical development. Use of land is divided into use classes, so for example a religious institution could be used for any religious group: the permission would not be specific to a particular religion or group. The planning service sometimes has an important role to play in making timely decisions on adaptations to homes to allow people with disabilities to remain living safely and comfortably in their own homes, however most such works are ‘permitted development’ and do not require a planning application, so would not be captured by an indicator.

Recommendations:

Recommendation 1 - District Council Annual Performance Reports:

That each year the DfI’s Analysis, Statistics and Research Branch produces a template Annual Performance Report for each Council and populates it with that Council’s statistics, using the data collation system already in place. Each Council would then add narrative to explain their performance and identify successes and areas for improvement/actions. Each Council would be responsible for publishing its APR on its website and submitting it to the DfI by an agreed deadline (31st October is suggested).

It is recommended that the APR should include:
• promotional information celebrating successful outcomes, for example regeneration projects that have gained planning permission or key development projects that are under way. This is an opportunity to publicise the value of the planning service for example in delivering quality and sustainable environments and enabling much needed house-building and job creation (see Recommendation 2);
• information and commentary regarding corporate complaints, compliments, upheld Ombudsman complainants and Judicial Reviews, to provide additional information about the quality of both decisions and the planning service. This data should be readily available within each Council;
• the number of undetermined legacy applications. This data is already collated by the DfI; and
• information regarding the number of withdrawn applications, including their duration within the planning system (0-6 months; 6-12 months or >12 months). This will capture information about potentially significant amounts of work that would otherwise go unreported. Withdrawn applications are already captured by the DfI’s statistical and the three proposed time bands are used in relation to renewable energy schemes and legacy applications.

Recommendation 2 - Annual Performance Reports:
That the Heads of Planning or an appropriate sub group reviews a small sample of APRs from Wales and Scotland (suggest 4-6 in total) to identify best practice and, in particular, ways of emphasising outcomes of the planning system, not just performance data.

Recommendation 3 – Northern Annual Performance Report:
That the DfI produces an Annual Performance Report summarising the performance of Northern Ireland as a whole including reporting on the Department’s and Planning Appeal Commission’s performance. This report would be produced following submission of the District Council APRs. Given the low number of Regionally Significant Development applications, it is suggested that the APR includes commentary about the proposal and outcome in addition to decision speed and any relevant explanation for the time taken, if appropriate. This NI APR should also include information on call-in decisions (number and decision speed) and appeal decision speed by PAC.

Recommendation 4 – Data analysis:
That the DfI’s Analysis, Statistics and Research Branch continues to provide data analysis support, including accuracy checks of the data submitted: this support is invaluable to provide robust, consistent and meaningful data analysis, as well as reducing the resource burden on Councils.

That consideration should be given to reporting both the arithmetic mean and the median, as per Scotland. The median figure may become less relevant if legacy applications and withdrawals are excluded. This should be reviewed by the Performance Working Group once the changes have bedded-in (see Recommendation 6).

Recommendation 5 – IT systems:
That the ‘Discovery Project’ should continue to review the best way of delivering an effective back-office planning IT system to replace/improve upon the Portal. Based on the experience in Wales, the use of corporate systems within individual Councils has caused considerable (and costly) problems when indicators or regulations are changed, necessitating amendments to multiple IT systems throughout Wales. Whatever IT system is procured, the software should be capable of measuring the new performance indicators, be sufficiently flexible to allow future
amendments to those definitions (ideally free of charge), and enable improved access to performance management information for line managers. It should also enable the centralised capture and analysis of performance by the DfI’s Analysis, Statistics and Research Branch. Consideration should be given to future performance management tools, for example would it be helpful to be able to record the reason an application missed the target deadline, and then run a report on that data?

**Recommendation 6 – Performance Working Group:**
A Performance Working Group should be established comprising representatives from the DfI Planning Division; the DfI’s Analysis, Statistics and Research Branch; and District Council planning departments (primarily managers/leaders but with a small representation from Admin/Technical Support staff too). The Group should meet regularly (suggest quarterly) to:

- review performance indicators and definitions and to agree targets for the next year based on lessons learnt, trends, priorities and aspirations;
- to review the benefits of measuring the arithmetic mean in addition to the median for PI3-PI7 (as in Scotland);
- to identify a mechanism for measuring performance relating to ‘intermediate’ applications (15+ dwellings) separately using existing taxonomy categories. If beneficial, consideration should be given to amending PI3 and PI4 to create new PI measures for intermediate scale development;
- to monitor statistics relating to applications subject to S.76 agreements and review if any associated changes should be made (e.g. stopping the clock when a resolution to approve is made);
- to consider options for an additional enforcement indicator to measure the end-to-end customer (complainant) experience.

**Recommendation 7 - Clock-stopping:**
It is not recommended that the clock should stop or pause for any reason. Although there are numerous factors that can stall the Council’s ability to determine an application, what matters to the customer is the end-to-end time. LPAs could record the reasons applications go beyond the target decision deadline and use this information to review and improve their procedures/systems/performance via their APR as applicable, or simply report on it as a reason for the performance figures being what they are. This will require a change to the NI Planning Portal which may not be possible in the immediate future.

**Recommendation 8 – Customer satisfaction survey:**
That Councils consider implementing a standardised NI-wide customer satisfaction survey and using the results as part of identifying best practice and benchmarking, for incorporation into their APRs. The survey should be at least annual, although ideally it would be issued as soon as the Decision Notice is dispatched to maximise meaningful customer feedback.
Appendix 1
DOE February 2015 proposed non-statutory planning measures

<table>
<thead>
<tr>
<th>Measures</th>
<th>Data source</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Community involvement</strong></td>
<td>As part of statutory requirement – information will be obtained from returns made to the Department by councils.</td>
</tr>
<tr>
<td>• Has the council submitted its statement of community involvement to the Department for agreement?</td>
<td></td>
</tr>
</tbody>
</table>

| **Local development plan**                   | As part of statutory requirement – information will be obtained from returns made to the Department by councils. |
| • Has the council submitted its local development plan timetable to the Department for agreement? |                                                                            |
| • Has the council submitted its annual monitoring report which details the extent to which the objectives set out in the local development plan are being achieved? |                                                                            |
| • Is the council on track to deliver the local development plan in accordance with agreed timetable? |                                                                            |

| **Development management**                   | Planning portal / council.                                                                 |
| • Percentage of applications taken to planning committee where decisions are made contrary to officer recommendation. |                                                                            |
| • Number of decisions made contrary to officer recommendation which are overturned on appeal. | Council.                                                                               |
| • Number of Judicial Reviews and number found against the council. | Council.                                                                               |

| **Enforcement**                              | Council.                                                                 |
| • Does the council have an enforcement strategy in place? |                                                                            |

| **Planning committees**                      | Council.                                                                 |
| • Number of times planning committee meets.  |                                                                            |

<p>| <strong>Delegated decisions</strong>                      | As part of statutory requirement – information will be obtained from returns made to the Department by councils. |
| • Has the council prepared a scheme of delegation? |                                                                            |</p>
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percentage</td>
<td>Percentage of all planning applications determined under delegated powers.</td>
<td>Council.</td>
</tr>
<tr>
<td>Number of</td>
<td>Number of local applications called-in for determination by the planning</td>
<td>Council.</td>
</tr>
<tr>
<td>Deferrals</td>
<td>committee.</td>
<td>Council.</td>
</tr>
<tr>
<td>Quality</td>
<td>Number of complaints received and responded to (in line with councils’</td>
<td>Council.</td>
</tr>
<tr>
<td>Quality</td>
<td>complaints procedures).</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>Number of planning staff in post.</td>
<td>Council.</td>
</tr>
<tr>
<td></td>
<td>Number of applications deferred by the planning committee.</td>
<td>Council.</td>
</tr>
<tr>
<td></td>
<td>Percentage of applications appealed to the Planning Appeals Commission (PAC).</td>
<td>PAC/council.</td>
</tr>
<tr>
<td></td>
<td>Percentage of applications appealed to the PAC because of a failure to</td>
<td></td>
</tr>
<tr>
<td></td>
<td>take a planning decision.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Percentage of decisions upheld by the PAC.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of appeals where costs have been awarded against council.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of complaints referred to the Ombudsman.</td>
<td></td>
</tr>
</tbody>
</table>
### Appendix 2 – Welsh Planning Performance Framework

<table>
<thead>
<tr>
<th>MEASURE</th>
<th>GOOD</th>
<th>FAIR</th>
<th>IMPROVE</th>
<th>WALES AVERAGE [Will be available from WG website]</th>
<th>[Authority name] LAST YEAR</th>
<th>[Authority name] THIS YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Plan making</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Is there a current Development Plan in place that is within the plan period?</td>
<td>Yes</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LDP preparation deviation from the dates specified in the original Delivery Agreement, in months</td>
<td>&lt;12</td>
<td>13-17</td>
<td>18+</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annual Monitoring Reports produced following LDP adoption</td>
<td>Yes</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The local planning authority’s current housing land supply in years</td>
<td>&gt;5</td>
<td>4-4.9</td>
<td>&lt;4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Efficiency</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of &quot;major&quot; applications determined within time periods required</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average time taken to determine &quot;major&quot; applications in days</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of all applications determined within time periods required</td>
<td>&gt;80</td>
<td>60.1-79.9</td>
<td>&lt;60</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average time taken to determine all applications in days</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Quality</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of decisions made under delegated powers</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of Member made decisions against officer advice</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of appeals dismissed</td>
<td>&gt;66</td>
<td>55.1-65.9</td>
<td>&lt;55</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applications for costs at Section 78 appeal upheld in the reporting period</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Engagement</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Does the local planning authority allow members of the public to address the Planning Committee?</td>
<td>Yes</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the local planning authority have an officer on duty to provide advice to members of the public?</td>
<td>Yes</td>
<td></td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does the local planning authority’s web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?</td>
<td>Yes</td>
<td>Partial</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Enforcement</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average time taken to investigate enforcement cases</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MEASURE</td>
<td>GOOD</td>
<td>FAIR</td>
<td>IMPROVE</td>
<td>WALES AVERAGE</td>
<td>[Authority name] LAST YEAR</td>
<td>[Authority name] THIS YEAR</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
<td>------</td>
<td>---------</td>
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<td>---------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Percentage of enforcement cases where an Enforcement Notice is complied with, planning permission is granted, or the breach of planning control ceases, within 180 days from the start of the case (in those cases where it was expedient to enforce)?</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td>[Will be available from WG website]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average time taken to take enforcement action</td>
<td>Not set</td>
<td>Not set</td>
<td>Not set</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Appendix 3: Feedback from Heads of Planning meeting 13/01/2017

This is a summary of the key points about the proposed Planning Performance Framework arising from discussion with Northern Ireland’s Heads of Planning. Developments since the January meeting are shown in italics.

Plan-making:

PI1 Has the Council:
   e) had its Statement of Community Involvement (SCI) agreed by the Department?
   f) Published its Preferred Options Paper?
   g) Published its Plan Strategy?
   h) Published its Local Policies Plan?
      Agreed.

PI2 Has the Council submitted its Local Development Plan (LDP) Annual Monitoring Report (AMR)?
      Agreed.

PI3 Deviation in months from the agreed Local Development Plan timetable
      Agreed. Following further consideration and discussion with the DfI, this suggested PI has since been deleted. Unlike the system in Wales, which measures progress against the original Delivery Agreement despite amendments having been approved by the Minister, the proposed NI indicator was going to measure performance against the latest revised Delivery Agreement. However, given that the legislation allows Councils to update the timetable, on reflection all this indicator would tell anyone is that Councils have gone through an approval process. It doesn’t seem to add any value. Councils will know in-house if they are falling behind on the timetable and why, and what they propose to do about it (nothing, extra resource to catch up, or revised timetable etc.).

Efficiency:

The separate recording of legacy applications was welcomed;

Following discussion, the exclusion of withdrawn applications was welcomed. It was noted that many withdrawn applications have been subject to significant officer work. In order to ensure this work is not ‘hidden’, it is suggested that APRs report on the number of withdrawn applications and include any additional commentary deemed relevant by the District Council.

- It is recommended that the APR records the number of applications withdrawn after 0-6 months, 6-12 months, or over 12 months. This will give an indication of the amount of resource put into an application that has not been progressed. This data I already recorded for renewable energy and legacy applications.

There was discussion around whether or not applications subject to a S.76 agreement:

- should be recorded separately under their own PI; or
- the clock should stop when there is a resolution to approve subject to a S.76 agreement; or
- whether they should be counted in the PIs without clock-stopping as per the current situation (either because this represents the whole customer experience, or because there are so few instances, the other options introduce complexity for little benefit).
There was discussion about how exclusion or clock-stopping would be reported, as there is currently no ‘flag’ in the IT system to indicate that a S.76 agreement is involved.

- In response to this feedback, it is recommended that the clock does not stop when a resolution is made to approve an application subject to a S.76 agreement. This is partly because from the customer’s perspective, the application is not determined until the S.76 agreement is signed and the planning permission is dispatched, and partly due to the disproportionate effort of introducing this change for a low number of S.76 agreements. However, it is recommended that data (resolution date and a tick box) is recorded in the Portal to record these cases. This will allow the merits or otherwise of this change to be reviewed in the future, and will also allow Councils to report in their APRs the impact of S.76 agreements on their performance statistics if they wish. Two redundant data fields have been identified that could be utilised as a temporary measure until the IT system is upgraded in c.2019.

Validation issues: concerns were raised that the threshold for submitting a valid application is very low, and that at present District Councils cannot determine applications without additional information, but are penalised for time delays. Examples include bat surveys and traffic impact assessments. A brief discussion ensued about the English and Welsh experience of introducing local lists (they are applicable to major applications only in Wales: no Local Planning Authorities are known to have adopted one). The introduction of local lists would require legislative change.

PI4 Average time taken to determine major applications
Agreed subject to the general points raised above.

PI5 Percentage of major applications determined within the agreed timescale
Welcomed in principle but potentially impossible to record until the Portal system is upgraded or replaced in 2019. The number of agreed extension of time agreements would make manual recording impractical. It was clarified that Planning Performance Agreements would be recorded in the same way as extension of time agreements: both provide a new, agreed decision deadline, against which performance should be measured.

PI6 Average time taken to determine local applications
Agreed, as per PI4. However, there was some discussion around the broad definition of ‘local’ application, and a view that the old ‘intermediate’ category (15+ dwellings) should be reintroduced.

It was clarified that it is not possible to extract this data unless application types are reclassified. It was queried whether or not the former ‘major’, ‘intermediate’, and ‘local’ categories still exist.

- It has subsequently been confirmed that this suggestion would require the old (pre-April 2015) classification hierarchy to be reinstated into the Portal. Without this, however, it would still be possible to split the ‘local’ category into more homogenous groups using the existing taxonomy codes. This could be progressed via the proposed Performance Working Group.
PI7  Percentage of local applications determined within the agreed timescale

As per PI5. It was agreed that extensions of time are still applicable to local applications. This was partly due to the broad definition of ‘local’, which includes, for example, up to 49 dwellings, and partly due to the view that the purpose of the measure is to balance speed against customer service and quality, which is equally relevant to local applications.

PI8  Average time taken to determine legacy applications

Agreed. This indicator was welcomed.

Quality

It was accepted that, while a number of these indicators mean little in isolation, when read in conjunction with the other indicators they paint a wider picture of service/performance (for example as an explanation of decision speed, or regarding Officer-Member trust/relationships); There was consensus that the upgraded/replacement Portal due in 2019 needs to enable a greater level of performance management, including reporting on individual case officer performance against the proposed performance indicators. This information would be for normal line management purposes, not for APRs/kPIs;

There was a discussion about ways of measuring the quality of approvals, given that PI12 measures only the quality of refusals. It was agreed that it is not possible to write a performance indicator to measure this. While it is not considered suitable as a performance indicator, APRs should include commentary on the number of customer complaints, Ombudsman complaints and JRs upheld, noting any key learning points as appropriate. There was a brief discussion about the widespread practice of ‘Design Tours’ in Wales, in which Officers and/or Members spend a day visiting completed developments to learn from what has worked and what would be done differently next time.

PI9  Percentage of applications determined under delegated powers

Agreed, on the basis set out above.

- It has since been confirmed that this data is already recorded in the Portal so it can easily be reported on.

PI10 Percentage of applications approved

Agreed.

PI11 Percentage of Committee decisions made against the Officer recommendation

Agreed. It was clarified that this indicator would measure instances where the published Officer recommendation (some Councils might call this the Group recommendation) is overturned by the Planning Committee.

- It has since been confirmed that this data is already recorded in the Portal so it can easily be reported on.

As an aside, it was noted that the ability to run a report on the number of times a Group recommendation overturns an Officer recommendation could be a useful line management tool and evidence possible training needs. Fields exist in the Portal to record the Officer,
Group and Committee recommendation/decision, so this should be easy to measure. (This would be for line management, not for inclusion in APRs).

**PI12 Percentage of appeals against refusals of planning permission that are dismissed**

It was agreed that this indicator will be easy to measure, using data from the Planning Appeals Commission.

**PI13 Number of appeal costs awards**

Agreed, subject to an amendment to also record the number of instances where costs are awarded in favour of the Council as well as against. It was clarified that the indicator measures the number of instances (# appeal decisions) not the amount of costs awards (£). There was some discussion around whether partial costs should be separated out from full awards, or if this could simply be clarified in the APR commentary. The suggested re-worded indicator is shown below:

<table>
<thead>
<tr>
<th>For the Council</th>
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**Engagement:**

**PI14 Does the District Council allow public speaking at Planning Committee meetings?**

Agreed. It was noted that it might be interesting to use this data to see if there is a correlation between public speaking at Committee and overturned recommendations/approval rates.

**PI15 Does the District Council have a planning officer on duty to provide general planning advice to customers?**

Agreed. The majority consensus was that yes/partial/no was an appropriate categorisation, with APR commentary providing further detail if applicable. However, the suggested threshold for ‘yes’ should be amended to ‘09:00-16:30 every working day’.

**Enforcement:**

**PI16 Proportion of enforcement cases progressed to the target conclusion within 39 weeks:**

Agreed, however the consensus was that this PI (which matches the existing PS3) only measures part of the enforcement service. For the customer (complainant), the important matter is the time taken to fully conclude an enforcement case. PI16 alone does not reflect the considerable amount of time and resource put into fully closing down breaches of planning control. An additional PI was therefore requested. It was concluded that information about Court action and fines could be included as commentary in the APR.

- Following further consultation with the Heads of Planning and NI Planning Enforcement Group, considerable concerns were raised that the proposed indicator options, which sought to measure the end to end enforcement process, would not reflect fairly on Councils because significant (and lengthy) parts of the process are beyond Council control (including appeals and prosecution timescales). There was no consensus on alternative indicators, with some Councils not wanting an additional
indicator and others proposing a raft of detailed measures. It is therefore proposed that no additional enforcement indicator be added at present, but that the Performance Working Group and Enforcement Group continue to consider options for possible future measurement.

Outcomes:

PI17 Planning outcomes:

i. Number of affordable housing units granted consent within defined* settlement boundaries (*defined in an adopted Development Plan)
ii. Number of market housing units granted consent within defined* settlement boundaries (*defined in an adopted Development Plan)
iii. Number of affordable housing units completed within defined* settlement boundaries
iv. Number of market housing units completed within defined* settlement boundaries
v. Proportion of approved housing units on brownfield sites
   • Amount of office floor space granted (net increase in sqm)
   • Amount of retail floor space granted (net increase in sqm)
vii. Amount of industrial floor space granted (net increase in sqm)
vii. Number of megawatts of renewable energy approved

An alternative proposal was discussed briefly at the meeting, using the former terms of ‘urban footprint’ and ‘settlement boundary/limit’. Widespread concerns were raised regarding the clarity of these definitions, their meaningfulness, and the resource implications of recording this data. This indicator requires more thought.

Notwithstanding the above, the following issues were discussed:

- It was clarified that ‘affordable housing’ is as defined in PPS12/the emerging PPS22;
- Housing completions should be measured using Building Control completion notice records and LPS data on rates. However this cannot distinguish between market and affordable housing. It is commonplace for completed developments to contain more affordable housing than the approved scheme, and it is not possible to measure this. PI17iii is therefore impossible to measure. Consequently, PI17iii and PI17iv have been merged to simply record all completions;
- The old ‘urban footprint’ terminology is not meaningful;
- It may be possible to measure whether application sites are within or beyond settlement boundaries using GIS overlays, however not all Area Plan settlement boundaries are plotted on GIS;
- It may be possible to collate some of this data via the evidence base for emerging LDPs rather than as a DM performance indicator. The data could then be measured in an appropriate fashion via LDP Annual Monitoring Reports;
- Information about commercial floorspace is provided on the planning application form but is not entered anywhere on the Portal. Attendees do not think there is anywhere to record this data in the Portal, so this would need to be incorporated as part of the upgrade/replacement system.
**Recommendations:**

Recommendation 6 should avoid potentially constraining the ‘discovery project’ and should make it clear that whatever IT system is procured, the software must be capable of measuring the new performance indicators, be sufficiently flexible to allow future amendments to those definitions, and enable improved access to performance management information for line managers. It must also enable the centralised capture and analysis of performance by the Dfi’s Analysis, Statistics and Research Branch.

There was widespread support for a customer survey, as per Recommendation 10. A previous Survey Monkey questionnaire may still be available for use. To clarify, the survey would not form a performance indicator: it is simply a suggestion for Heads of Planning to agree to undertake and include the results in their APR. To allow any benchmarking, the survey needs to be consistent across Northern Ireland.
Dear Fiona,

Planning Performance Management Framework

Thank you for your letter of 12 May 2017.

Belfast City Council’s Planning Committee has considered the draft Planning Performance Management Framework (the Framework) and comments as follows.

The Council welcomes the introduction of a performance management framework for planning in Northern Ireland. It will help focus on performance and improve service delivery across the region, whilst providing a useful benchmark across the 11 councils.

I attach a copy of the report to the Planning Committee when the matter was discussed. The report contains a range of detailed points and forms part of the Council’s formal response to the Framework in conjunction with this letter.

The Council wishes to make the following particular points about the Framework.

1. Bench-marking of performance (PI3-PI6 and PI16) – the Council strongly objects to the setting of standards around these indicators at this time. It should be for each council to decide what “good performance” looks like. A balance needs to be struck between speed of decision and the quality of service to the customer, and quality of the final decision. A complete focus on speed of decision can drive perverse behaviour which can be detrimental to quality and cause frustration to customers. This was the experience of many councils in England during the 2000s when the Government awarded Planning Delivery Grant to local planning authorities for achieving targets on the speed of decision for applications. DCLG in England has since moved away from this narrow focus and quality of customer service has become much more important. Hence the introduction of the ability to agree an extension of the determination period with the applicant. The Council supports the principle that performance indicators should be “measures” and not “targets”.
Planning services in Northern Ireland are also still in transition. Councils are significantly disadvantaged by the limitations of the Northern Ireland Planning Portal which prevents the collection of detailed Key Performance Indicators which are otherwise essential for effective performance management. The Planning Portal is at least two generations behind the latest planning software used in other parts of the United Kingdom and Republic of Ireland. It is imperative that the Portal is replaced with a fit for purpose system as soon as possible. Councils are also limited by existing planning legislation such as the inability to legally invalidate an application if all the information necessary to determine an application is not provided at the beginning of the planning application process. The Department clearly recognises this as an issue through Performance Indicator 17 (Strategic Planning Division) because achievement of the 30-week target is dependent on no further environmental information being required once the application has been submitted.

2. Categorisation of planning applications – the Council recommends that applications are divided into three categories rather than the two pre-existing categories. A third category should be added to include small-scale proposals such as householder applications, Advertisement Consents, Listed Buildings and Conservation Area Consents. This will measure performance on small-scale, high volume applications which are critical to overall application performance. This also reflects the approach taken in England and Wales which have three categories of application.

3. Ability to agree an extension of time with the applicant – a complete focus on speed of decision is inappropriate and can lead to perverse behaviour. Councils should have the ability to agree an extension of time with the applicant so that issues can be worked through without the pressure to make a quick decision to meet targets. This is the approach taken in England and Wales and works very well. Councils should also be measured on the proportion (%) of applications determined within 30 and 15 weeks like in England and Wales. This helps to provide a more rounded picture of performance and links in with the ability to agree an extension of the determination period with the applicant. In measuring application performance, the Department should also exclude those applications requiring a Section 76 Planning Agreement.

In addition to these comments, a range of more detailed points are provided in the attached report, which forms part of the Council’s response to the Framework.

Belfast City Council looks forward to working with the Department and the other 10 councils in further developing the Performance Management Framework so that it is fit for purpose and appropriate for planning in Northern Ireland.

Yours sincerely,

PHIL WILLIAMS
Director of Planning & Place
By virtue of paragraph(s) 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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By virtue of paragraph(a) 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

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1.0 Purpose of Report or Summary of main Issues

To present for consideration a proposal to establish joint working arrangements with other planning authorities in the metropolitan area in the preparation of the new Local Development Plans.

2.0 Recommendations

It is recommended that the Committee:

- agrees to the establishment of the proposed Working Group linked to the work of the LDP and covering the five planning authority areas in the Metropolitan area;
- nominates two Members to serve on the proposed Working Group, supported by Council officers; and
- notes the draft Terms of Reference appended to the report as the basis for consideration and if appropriate agreement at the first working group meeting.

3.0 Main report

3.1 All Councils across Northern Ireland are currently preparing their Local Development Plans (LDPs) and a number have already published their Preferred Options Papers (POPs). Whilst each council is the planning authority for its own area and is responsible for preparing its LDP there are common or shared issues faced by councils.

3.2 The common issues have either a sub-regional dimension, generally affecting all councils across the metropolitan area or cross boundary implications. For example, the housing market area is not confined to individual local government boundaries and it extends from Belfast City well into adjacent local government districts, including Lisburn & Castlereagh.
Antrim & Newtownabbey and Ards & North Down. In this regard, it is important that discussion takes place with other councils in the sub-regional area to seek consistency in housing allocations to support the aims of the Regional Development Strategy.

There are other cross-boundary issues that warrant co-operation between councils including sustainable travel, retail development, waste management, infrastructure and environmental protection. Continued engagement is required throughout all stages of the LDP process to support a joined-up and sustainable approach.

Informal discussions have already taken place with adjoining councils, at officer level, as part of the LDP preparatory work. These have included discussion on policy approaches, timetable, shared priorities, potential cooperation, engagement and governance. This work has been useful in terms of shared learning and the early information exchange. The DfI guidance suggests that collaboration between councils in plan-making is important to the soundness of each LDP, which is assessed through the independent examination procedure. The soundness assessment methodology includes a ‘consistency test’ that explores whether the LDP has given due regard to other relevant plans, policies and strategies relating to any adjoining council’s district.

It is proposed to establish a working group across the four councils in the metropolitan area to support the ongoing LDP process. It is envisaged that this will provide a mechanism to share information and seek, as far as possible, to agree a common approach to LDP policies, objectives and proposals in an effort to minimise the potential for conflicts between individual LDPs. The Working Group should include Members and officers and it is anticipated that the participation in such arrangements will demonstrate that the new Belfast LDP can meet the consistency test of soundness.

It is understood that Antrim & Newtownabbey Council has recently agreed to participate in a Working Group and has nominated up to two Members to serve on the group. Whilst other councils in the area have not yet formally considered the establishment of the working group, it is suggested that such joint working arrangements are necessary to ensure soundness of all LDPs. The detailed governance arrangements for any Working Group will require formal agreement by the participants at the first meeting and an outline of a draft Terms of Reference is attached to this report (Appendix 1).

The proposed working group will require attendance by nominated City Council Members and planning officers. It is envisaged that formal meetings of the group would occur not more than four times annually.

There are no relevant equality or good relations implications attached to this report.

Appendices – Documents Attached

Appendix 1: Draft Terms of Reference for Metropolitan Area Working Group
APPENDIX 1: DRAFT METROPOLITAN AREA SPATIAL WORKING GROUP

Terms of Reference

Aim and Objectives

- To provide a liaison forum on spatial planning including cross boundary aspects of economic development, housing, transport, and general infrastructure issues arising at regional and sub regional level.
- To lead and co-ordinate the activity to support the 2011 Planning Act and SPPS suggestions that the LDP process should include a joined up approach to addressing issues that consider to cross administrative boundaries.
- To advise strategic consultees and partners on matters of collective interest in the fields of activity listed above.
- To seek agreement on local cross boundary priorities in the fields of activity set out above.
- To ensure that regional policy development, local transport plans and joint working is appropriately linked to the decision making role of the Local Planning Authorities on Local Development Plan documents and related Community Planning.
- To assist in the establishment of detailed arrangements for integration between spatial, infrastructure and public service planning activity in appropriately defined localities, where appropriate linked to the Programme for Government.

Purpose

Specifically the Partnership will:

- share information and analysis on spatial planning, economic development, housing, transport, and general infrastructure issues at regional and sub regional level;
- share information and analysis on cross administrative boundary spatial planning, economic development, housing, transport, and general infrastructure issues;
- review progress against any Timetables, Implementation Plans or monitoring agreements—including relevant national and local targets;
- develop and communicate consensus views that seek to inform, assist and influence Government, Government agency and Regional institutions / bodies in their policy formulation and decision making roles;
- inform consideration of economic development, housing, transport, general infrastructure funding requirements by providing partners with advice and support to ensure they have the capacity to engage in the LDP process;
- make links with the DfC / NIHE and inform the commissioning of delivery work that assists partnership working on housing and a shared evidence base;
- make links with the other sub-regional structures that inform the plan development and other process relevant to the spatial development of the region.
Accountability and Working Methods

The Metropolitan Area Spatial Working Group can only operate by consensus or reference to the parent organisations of the participants. Through consensus it is accountable to the constituent District Councils and any other organisations that are agreed to form part of the working group.

The Working Group will report to the respective Councils on its progress in delivery of any agreed objectives.

The Working Group will should be assisted in achieving agreed objectives by the existing delivery bodies / agencies or structures including:

- Economic and broader development issues
  District Councils and through the other sub-regional partnerships, including where appropriate existing Community Planning structures.

- Spatial and Infrastructure Planning
  District Councils and District Community Planning Partnerships, supported by the Heads of Planning and Strategic Planning groups to pick up common and cross boundary issues.

- Housing
  Northern Ireland Housing Executive
  Housing Organisations

- Transport/ Accessibility
  DfI through its officer level joint working arrangements on transport. The Working Group should receive reports on and provide input to the Local Transport Plans. There will need to be a strong reporting and delivery link to transport planning studies and projects developed for specific localities to feed into District led work on LDPs.

Working Group Principles

The Working Group is formed as a thematic partnership and committed to working to the general principles and procedures established for Community Planning and other structures:

- Visible commitment and ‘ownership’ by the various member organisations and individual representatives
- Mutual trust and respect
- Openness and transparency
- Effective communication and accountability
- Removal of barriers to equality of access and opportunity
- Effective decision making
- The working group is a forum for liaison and information sharing and the development of consensus views on matters of mutual interest.
- Consensus views will be used to advise and influence the relevant decision making bodies including:
  - Government and its agencies (including specific Departments)
Regional agencies particularly Northern Ireland Housing Executive and NIEA
The Department for Infrastructure as the Transport Authority
The District CPPs (as the broader locality based co-ordinating partnership)

Other infrastructure and service providing bodies and partnerships that are affected by, and can influence, local economic development, housing, transport, general infrastructure and spatial planning activity

The working group should work closely with other partnerships where there are cross over issues. It will work with CPPs and other locality based partnerships where it is appropriate that a more detailed level of partnership working is undertaken on areas covered by the terms of reference.

Membership/ Chairman and Deputy Chairman

Local authorities will take the roles of Chair and Vice Chair on an annual rotation as follows:

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