

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

HYBRID MEETING OF THE PLANNING COMMITTEE – REPORT TO FOLLOW

Dear Alderman/Councillor,

The above-named Committee will meet both online and in person, in the Lavery Room - City Hall on Tuesday, 15th August, 2023 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

3. **Notifications from Statutory Bodies, Abandonment and Extinguishment**
 - (a) Abandonment at Great Patrick Street, Extinguishment Bullring Pathway
(Pages 1 - 14)

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Subject:	Notifications from statutory bodies (Abandonment & Extinguishment)
Date:	15 th August 2023
Reporting Officer:	Kate Bentley, Director of Planning & Building Control
Contact Officer:	Keith Sutherland, Planning Manager (Plans & Policy)

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of Main Issues
1.1	To bring to the attention of the Planning Committee two notifications that have been received from the Department for Infrastructure (DfI) and the Northern Ireland Housing Executive (NIHE) (see Appendices 1-3).
2.0	Recommendation
2.1	The Committee is asked to note the notification correspondence received and the comments already submitted by officers and consider whether it wishes to endorse the concerns expressed on the proposed abandonment at Great Patrick Street.
3.0	Main Report
3.1	The Council has received two notifications from statutory bodies, one each from DfI and NIHE:
3.2	Proposed abandonment at Great Patrick Street, Belfast, BT1 2NX Received on 19 th June 2023 this notification from DfI concerns a request for the proposed abandonment under The Roads (NI) Order 1993 of land at Great Patrick Street (Appendix 1). The abandonment has been requested as Beggs and Partners who are seeking to acquire the land and incorporate it within the boundary of their property. There are no current planning applications or any relevant, related planning history on the land proposed for abandonment.
3.3	The Council's City Regeneration & Development team have raised concerns with the proposed abandonment with DfI's Lands Section. The concerns relate to the proximity of Council-owned lands and the loss of space which may potentially impact on future initiatives that may be developed for: place shaping initiatives, active and sustainable travel, greenspace provision and/or connectivity improvements. However, the Council owns adjacent land in the area, identified as part of Council's Strategic Site Assessment programme, and it should be noted that there are emerging Council proposals for its land that may impact on this subject land. No additional concerns have been raised by other services within the Council. Whilst the Council has no current proposals to purchase the

<p>3.4</p> <p>3.5</p> <p>3.6</p> <p>3.7</p>	<p>area proposed for abandonment, as it remains in public ownership, the Committee is asked to note the proposal and the comments submitted to DfI and consider whether they wish to endorse the concerns already expressed.</p> <p>As part of the abandonment determination process DfI will consider the concerns raised by the City Regeneration & Development Team, or any other respondents, as part of their decision in relation to the request from Beggs & Partners. The Divisional Road Manager (DRM) in any final decision will take account of the basis for any comments received and if it is deemed appropriate in the public interest can recommend that a public inquiry is held. After assessing any objections which are not withdrawn or where a public inquiry is held the Department may, following conclusion of the consideration, continue to make a decision and Order, with or without modifications, as it sees fit.</p> <p>Extinguishment of Public Right of Way – The Bullring Pathway Extinguishment Order Received on 29th June 2023 this notification from NIHE confirms that this extinguishment was agreed by the Department for Communities (DfC) and took effect from 13th June 2023 (Appendix 4).</p> <p><u>Financial & Resource Implications</u> There are no resource implications associated with this report.</p> <p><u>Equality implications or Good Relations implications / Rural needs assessment</u> None.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<p>Appendix 1: Proposed abandonment at Great Patrick Street, Belfast, BT1 2NX</p> <p>Appendix 2: Location of land proposed for abandonment.</p> <p>Appendix 3: Confirmation of extinguishment of Public Right of Way – The Bullring Pathway Extinguishment Order</p>

Belfast Planning Service
Belfast City Council
Cecil Ward Building
4-10 Linenhall Street
BELFAST
BT2 8BP

Annexe 7, Block 2
Castle Buildings
Stormont Estate
Upper Newtownards Road
BELFAST
BT4 3SQ

Telephone: 0300 200 7899

Textphone number: 028 9054 0022

Being Dealt With By: Victor Clegg

Email: Victor.clegg@infrastructure-ni.gov.uk

Direct Line: 02890 526193

Our Ref:MD2/Z/03/1108

Date: 14 June 2023

DEAR SIR/ MADAM,

ROADS (NI) ORDER 1993

PROPOSED ABANDONMENT AT GREAT PATRICK STREET, BELFAST BT1 2NX.

Department for Infrastructure Roads has received an application from Beggs and Partners Limited to abandon the land/ footpath as shown hatched on the attached map, Drawing No 22-38-L/202A.

The abandonment has been requested, as Beggs and Partners are seeking to acquire the land and incorporate it within the boundary of their property.

Could you please let me have your comments on the above proposal.

A prompt response would be appreciated and I look forward to hearing from you. If I do not receive your reply I shall assume you have no objection and will proceed accordingly.

Yours faithfully



Victor Clegg
Lands Section

ENC

19 JUN 2023

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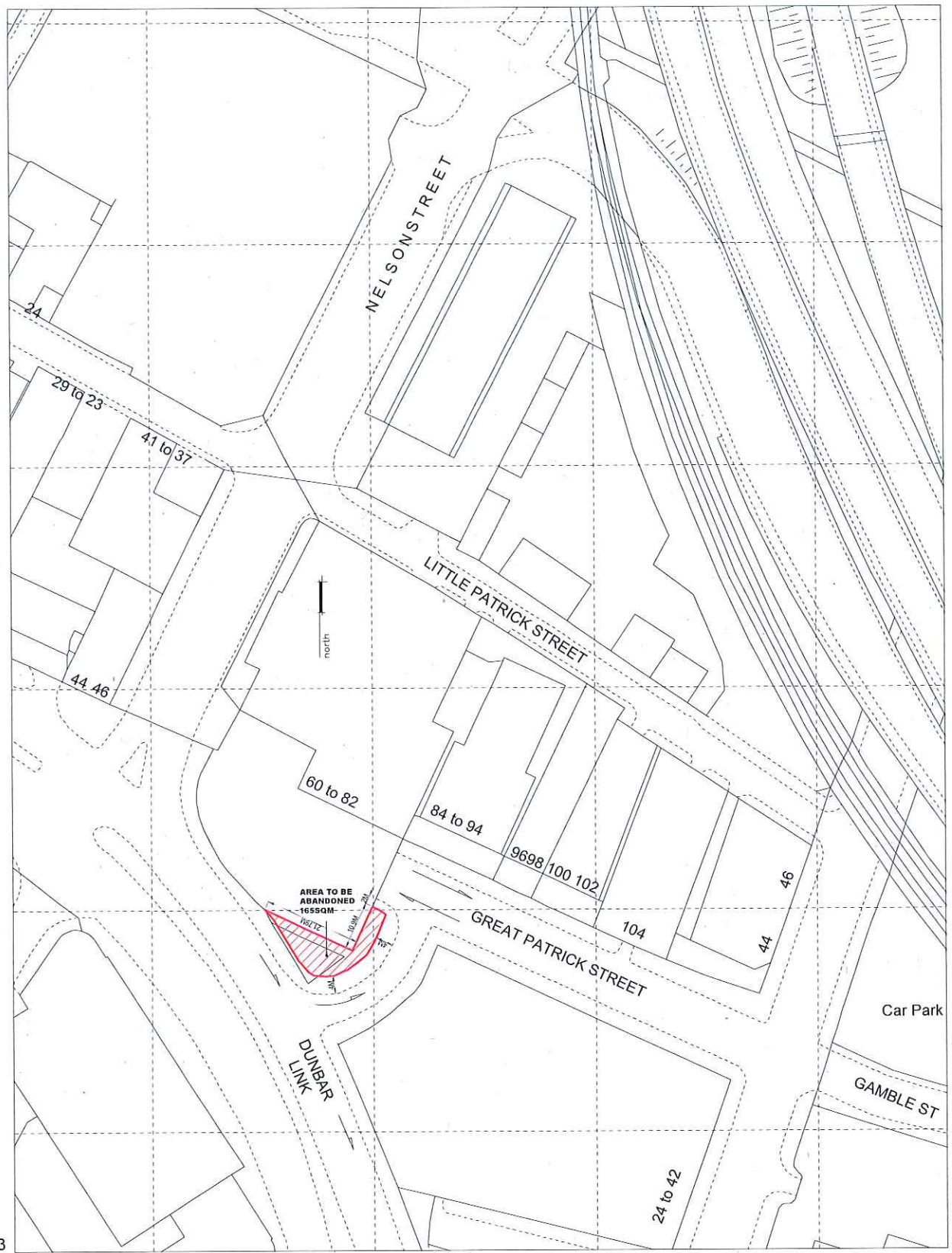
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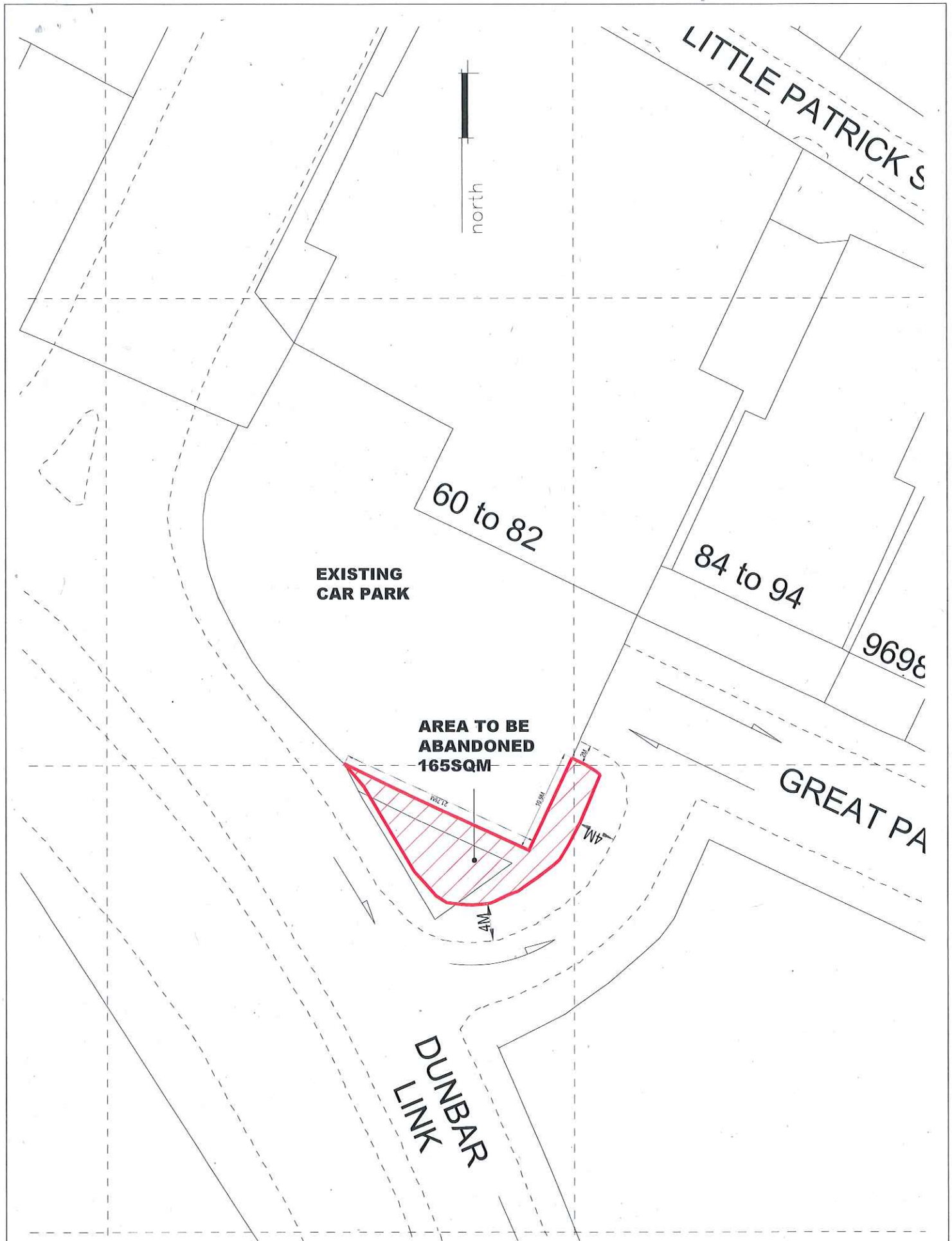
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22-38-L/200A

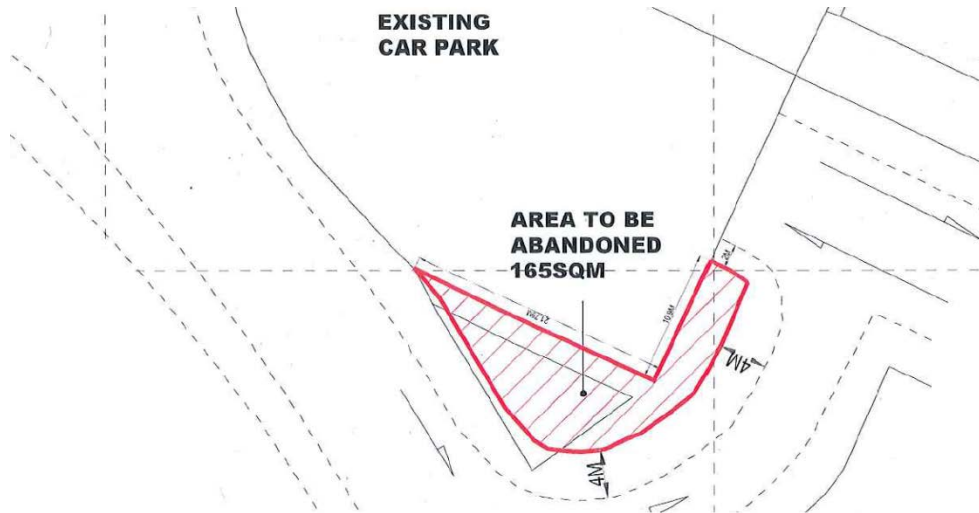
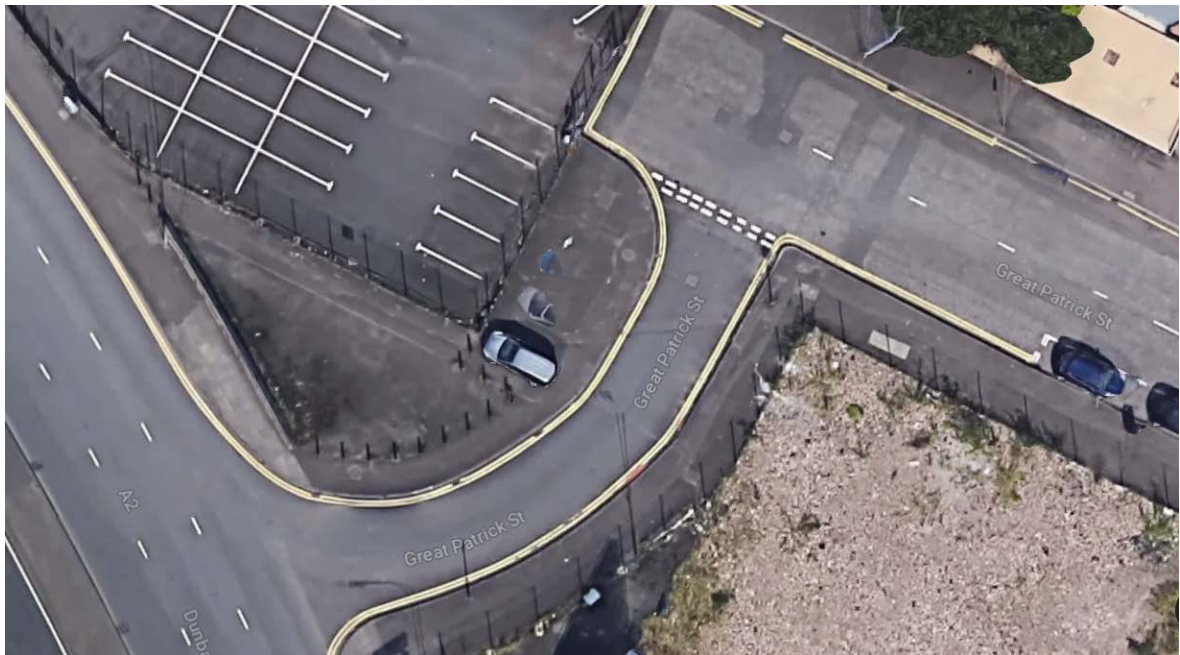


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Appendix 3: Images and Location of land proposed for abandonment



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Belfast City Council Planning Department
The Cecil Ward Building
4-10 Linenhall Street,
Belfast
BT2 8BP

Date: 27th June 2023

Our Ref: Bullring Pathway Extinguishment

Dear Sirs,

Re: Extinguishment of Public Right of Way –The Bullring Pathway Extinguishment Order

As per my last correspondence with your office dated 25th of April 2023 with regarding The Northern Ireland Housing Executive plans to make an extinguishment of public Right of Way over the Bullring Pathway Belfast.

I can confirm that the extinguishment was agreed by the Department of Communities and took effect from the 13th June 2023.

I have attached a copy of the signed sealed extinguishment order and map for your records.

Yours faithfully,

Aaron Maguire
Place Shaping
Regeneration Officer
Belfast Area

E:aaron1.maguire@nihe.gov.uk

T:02895984787



EXTINGUISHMENT OF PUBLIC RIGHTS OF WAY

FORM OF ENGROSSMENTS OF ORDER

THE HOUSING (NORTHERN IRELAND) ORDER 1981

Whereas the Northern Ireland Housing Executive whose principal office is at 2 Adelaide Street, Belfast, BT2 8PB (hereinafter called "the Housing Executive") having acquired certain lands in connection with the Bullring Path, Belfast has by a resolution passed on 25th of April 2023 made an order (an "extinguishment order") to extinguish the public rights of way hereinafter referred to over the said lands shown marked on the map the Bullring Path, Belfast Order No.1 2023 and sealed with the common seal of the Northern Ireland Housing Executive and deposited at the West Belfast Local Offices at the Public counter, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB .

NOW THEREFORE the Housing Executive in pursuance of its powers under Article 88D of the Housing (Northern Ireland) Order 1981 and all other powers so enabling HEREBY orders as follows:

1. This extinguishment order may be cited as the Bullring Path, Belfast Order No.1 2023.
2. The public rights of way described in the schedule and shown coloured red and outlined black on the said map shall cease and be extinguished as from the date of operation of the extinguishment order subject to the retention of all existing cables wires, mains pipes or other apparatus placed by an electricity undertaker along, across, over or under the lands hereby transferred shall be retained. All existing rights of the electricity undertaker as to the use or maintenance of such cables, wires, mains, pipes or other apparatus shall be preserved.

SCHEDULE

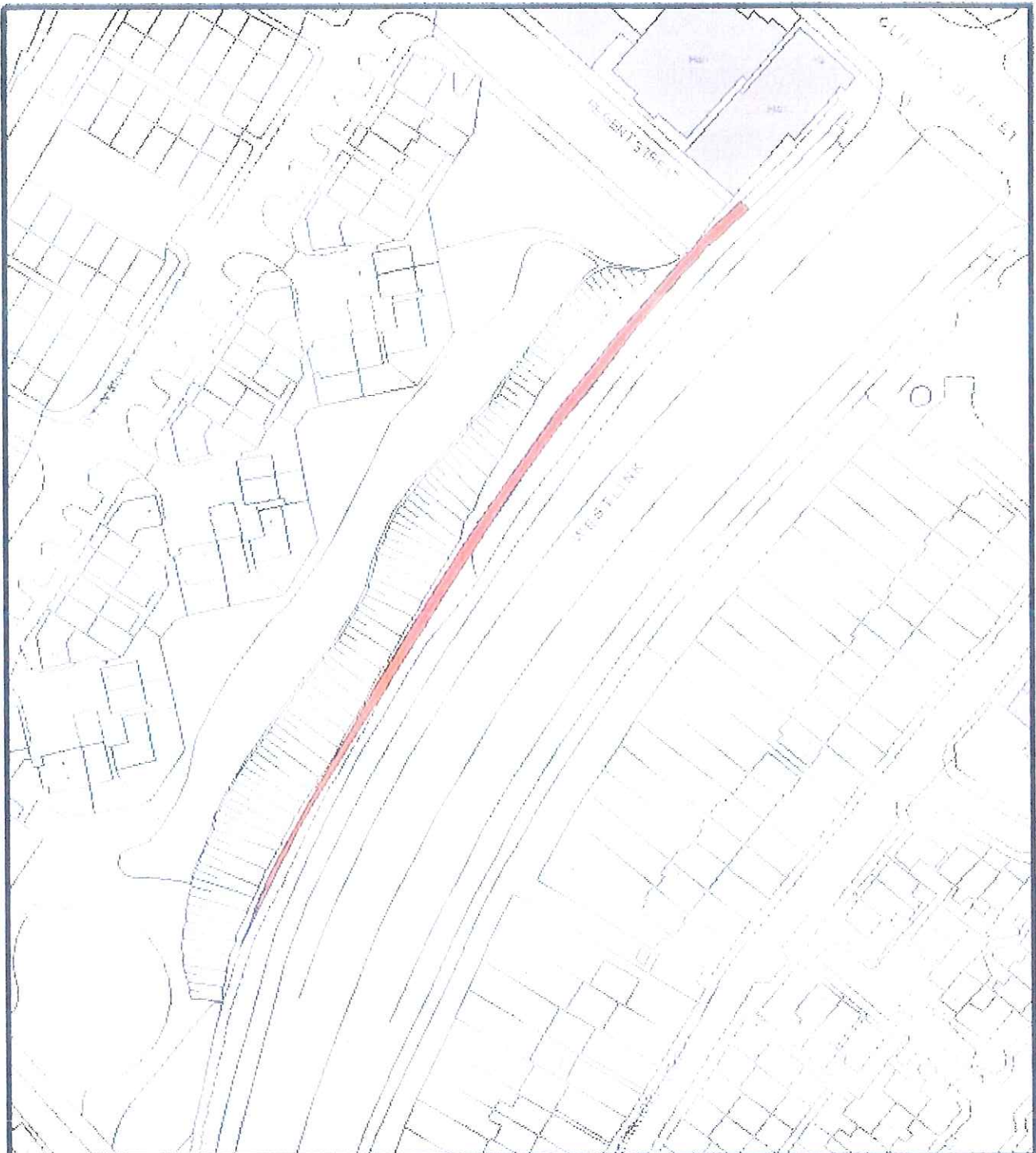
Bullring Pathway Belfast- Extinguishment of Public Rights of Way Order No1 2023

Hard-core pathway running parallel to the Westlink Wall, approximately 28 metres east of the rear of NIHE properties at Sherbrook Terrace (off Denmark Street). The pathway tapers from DFI ownership at the southern end to NIHE ownership at the northern end. The NIHE portion of the pathway is approximately 180 metres long (terminating at the northern point of Regent Street adjacent to the Orange Hall) and is consistently circa 2.5 metres wide for the full length.

DEPARTMENT FOR
PLACE AND ECONOMY
RECEIVED

29 JUN 2023

BELFAST PLANNING
SERVICE



BELFAST, BULLRING, LOWER SHANKILL
Extinguishment of Public Right-of-Way
Order No. 1, 2023
Map Dated 25/4/2023

NORTHERN IRELAND HOUSING EXECUTIVE,
 THE HOUSING CENTRE,
 2 ADELAIDE STREET, BELFAST, BT2 8PB

202975

OSD Reference: LG 130 H1W2-B111
 Scale: 1:250
 Your Reference:

[Signature]
 Director
 Planning & Development

[Signature]
 Conor McCann


[Signature]
 Joanne McCollan

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REF: 2023-0115 NREGS

GIVEN UNDER THE COMMON SEAL OF THE
NORTHERN IRELAND HOUSING EXECUTIVE
THIS -25th April 2023


237995



Authorised Officer *Mr D. D. D.*



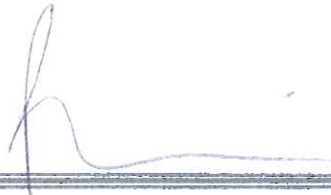
Conor McConde



**Officers of the Northern
Ireland Housing Executive**

The Department for Communities approves the foregoing Order
which was published on the 9th May 2023

Dated this 13th day of June 2023



SENIOR OFFICER OF THE DEPARTMENT FOR
COMMUNITIES

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