

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



**Belfast  
City Council**

5th April, 2022

**HYBRID MEETING OF PLANNING COMMITTEE**

Dear Alderman/Councillor,

The above-named Committee will meet in a hybrid format, both online via Microsoft Teams and in-person on a proportional basis in the Council Chamber, on Tuesday, 12th April, 2022 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

JOHN WALSH

Chief Executive

**AGENDA:**

1. **Routine Matters**
  - (a) Apologies
  - (b) Minutes (Pages 1 - 42)
  - (c) Declarations of Interest
2. **Committee Site Visit (Pages 43 - 44)**
3. **Planning Appeals Notified (Pages 45 - 48)**
4. **Planning Decisions Issued (Pages 49 - 72)**
5. **Planning Applications**
  - (a) (Reconsidered Item) LA04/2021/0720/F - Subdivision of existing dwelling into two apartments with two storey rear extension at 64 Ashley Avenue (Pages 73 - 84)

- (b) LA04/2020/0559/F - Renovation and single storey rear extension to dwelling, construction of a new detached garage and new entrance gates and pillars at 24 Malone Park
- (c) LA04/2021/0052/F & LA04/2021/0051/LBC - New shopfront to ground floor and change of use of first floor from retail to 3 no. 1 bedroom apartments at 10-16 Castle Place (Pages 85 - 98)
- (d) LA04/2021/2095/F - Change of Use of warehouse and offices to public house (linked to existing adjacent public house) and entertainment venue/events space including street food market for on premises consumption (part retrospective) at Common Market, 16-20 Dunbar Street (Pages 99 - 108)
- (e) LA04/2021/2788/F - Change of use of cash and carry wholesale warehouse to general retail sales at Musgrave Marketplace, 1-15 Dargan Crescent, Duncrue Road (Pages 109 - 116)
- (f) LA04/2020/0235/F - Tyre depot with associated parking, site works and new entrance onto Duncrue Road at 2 Dargan Crescent
- (g) (Reconsidered item) LA04/2021/0303/F - Redevelopment, refurbishment, and partial change of use of building at 35-39 Queen St & demolition of building and redevelopment of site at 31-33 Queen St and provision of ground floor offices/professional services units (Pages 117 - 142)
- (h) LA04/2021/2804/F - Shipping Container to store bikes, project equipment and materials on land adjacent to Connswater Community Centre (Pages 143 - 150)
- (i) LA04/2021/2879/F - Retractable awning at 283 Ormeau Road (Pages 151 - 156)

## Planning Committee

Wednesday, 2nd March, 2022

### SPECIAL HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);  
The High Sheriff, Councillor Hussey;  
Councillors Brooks, Garrett, Hanvey, Maskey,  
O'Hara and Spratt.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. E. Baker, Planning Manager (Development Management);  
Ms. N. Largey, Divisional Solicitor;  
Ms. C. Donnelly, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

### Apologies

Apologies for inability to attend were received from Councillors Matt Collins, Groogan, Hutchinson and Murphy.

### Declarations of Interest

No declarations of interest were recorded.

### Planning Application

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

**LA04/2021/2299/F - Change of use relating to part of unit 34 ground floor area from (class a1) retail unit to (sui generis) coffee shop with provision of external seating area; change of use (including re-configuration of internal stair/lifts, ancillary spaces and all associated works) of first and second floor levels of unit 34 and existing first floor level of unit 61 (class a1) and mall 01-k9 to (sui generis) family entertainment centre to include, crazy golf; lazer quest; indoor caving; escape rooms; bumper cars; virtual reality arcade; restaurants & bars and outdoor terrace at second floor; and (class d2) cinema with bar. 61 & Mall 01-K9 Castlecourt Shopping Centre, Royal Avenue**

The Planning Manager (Development Management) provided the Committee with an overview of the application. He advised that the site was located within Belfast City Centre and comprised frontage units within the CastleCourt shopping centre on Royal Avenue. The site included vacant retail units on the ground, first, and second floors and was last occupied by Debenhams Department store.

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The Members were advised that the key issues which had been considered during the assessment of the proposal included:

- the principle of loss of retail space and proposed uses at the location;
- the economic impact of the proposal;
- layout, design and impact on built heritage;
- impact on amenity / character of the area;
- impact on transport and other infrastructure;
- impact on flooding and drainage;
- economic considerations; and
- developer contributions

The Planning Manager explained that the site was within the City Centre in the BUAP 2001 and both versions of draft BMAP. He advised that it was also within the Primary Retail Core within both dBMAP versions, and Primary Retail Frontage with draft BMAP 2014. The site was located adjacent to the City Centre Conservation Area.

The Members were advised that the proposal comprised alterations to facilitate a change of use from retail with the upper floors to entertainment uses, and reconfigurations at ground floor to facilitate two retail units and a café. They were advised that the proposal comprised City Centre uses, as defined in the SPPS, and therefore complied with that aspect of the policy which promoted a “City Centre first” approach for retail and leisure uses.

The Planning Manager outlined that it was considered that the entertainment uses would fulfil a complementary function and not adversely impact on the function or retailing activities of the city centre.

The Committee was advised that the proposed physical alterations were largely internal within the existing shopping centre and did not require planning permission. However, some external alterations were necessary to the external facades to facilitate the proposal, including the introduction of new glazing, doors, louvres, and shopfronts. The Council’s Conservation Officer had been consulted and had no objections, concluding that the existing CastleCourt façade was not considered to be of heritage value. The proposed changes were considered sensitively designed and appropriate for the existing building and the character and appearance of the adjacent Conservation Area would be preserved. The setting of nearby Listed Buildings would not be harmed.

Given the current commercial use of the site, its City Centre location, the nature of surrounding similar uses, and lack of any sensitive uses nearby, it was not considered that the proposal would result in any adverse amenity impacts.

The Committee’s attention was drawn to the Late Items pack, whereby a response had been received from Environmental Health confirming that it had no objections subject to conditions regarding noise. He advised the Committee that the applicant had since confirmed that they were in agreement with the conditions and that the wording of the conditions would need to be refined by officers to ensure compliance with the six tests for conditions.

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The Committee was also advised that DFI Rivers had submitted a response confirming that it had no objections subject to a condition in respect of drainage. The applicant had confirmed that they were content with the condition but had requested that the trigger point for it be amended to occupation instead of prior to the commencement of works. The Planning manager explained that the wording of the condition would need to be refined by officers to ensure compliance with the six tests for conditions.

The Planning Manager advised that NI Water had recommended a refusal based on the information provided, however, further information had since been provided by the applicant to NI Water under the Pre-Development Enquiry (PDE) process. The applicant had sought to demonstrate that a reduction in overall footfall to the units and net reduction in discharge rates was achievable from the site. He outlined that officers advised that account must also be taken of the existing use and operations, associated discharge rates and the significant number of unimplemented permissions across the city.

He reported that the Council had subsequently received verbal indications from NI Water that it would remove its objection to the application and that a condition would be necessary to resolve stormwater capacity prior to the development becoming operational. The Members were advised that that was consistent with recent correspondence between NI Water and the applicant, which the Council had had sight of. The officer's recommendation was, therefore, approval subject to NI Water formally withdrawing its objection. NI Water had been re-consulted accordingly. Following NI Water's response, he explained that further consultation with DFI Rivers would be necessary to confirm compliance with PPS15 FLD3.

The Committee was advised that no objections had been received from any other consultees and that no third party representations had been received from the public in respect of the application.

The applicant had advised that the scheme comprised an investment of around £10.8million. In addition, the development would create up to 125 jobs during the construction phase, and up to 130 full time and part-time jobs post completion. The Committee was advised that the proposal would also see the reoccupation of what once was the anchor store for CastleCourt shopping centre, attracting footfall, and supporting both CastleCourt and the wider City Centre.

The Planning Manager explained that the applicant was under an extremely tight timeframe for the prospective tenants to be able to fit out the units for opening by October/November 2022. If the works were not completed by November 2022 then they would have to be delayed as ongoing works would interfere with Christmas trading for existing occupiers of the shopping centre. He added that there was also concern about rising construction costs and the impact that delays would have on the deliverability and affordability of the scheme.

The Chairperson welcomed Mr. T. Stokes, agent, and Ms. L. Elliott, applicant, to the meeting.

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Mr. Stokes advised the Committee that:

- over the last 10 years, the retail sector had been going through a period of significant turbulence, which had then been further exacerbated by the ongoing impacts brought by the COVID pandemic;
- the Department Store concept had been hit at an unprecedented rate leaving sizeable empty spaces across city centres. In a bid to address that, the repurposing of large retail units had already taken place across a number of the regional cities, such as Edinburgh and Liverpool;
- since the loss of Debenhams, CastleCourt had no anchor to attract much needed footfall - which also had a direct impact on the other 75 retailers within the city centre. That section of Royal Avenue had become severely run down and was a ghost town after 6pm every day of the week;
- the application would help to kick-start the much-needed regeneration of Royal Avenue, and would aid in addressing the existing disconnect between the new Ulster University Campus development and the city centre; and
- the scheme represented a significant investment of around £11 million and a contractor had been appointed and was ready to start immediately.

Ms. Elliott, on behalf of Wirefox, advised the Committee that:

- they were thankful to the Committee and to the Planners for holding a Special meeting to consider the application;
- the change of use permission also provided a much-needed kick start of the regeneration of the Royal Avenue area which was in dire need of reactivation, illumination and rejuvenation.
- the direct economic benefits of the change of use were clear, with up to 125 jobs being created during the construction phase and a further 130 full and part time jobs post completion. However, it would also preserve over 1,000 jobs in respect of those other 75 struggling retailers within the centre;
- the university campus would be fully open later in the year but that, with a lack of progression with surrounding developments such as Tribeca, The Sixth and Building blocks, and with a number of years before the Belfast Stories tourist attractive would be open there was unfortunately still a disconnect between the campus and the city centre, and Royal Avenue remained a wasteland between the two; and
- timing was critical and a successful leisure scheme relied on a strong launch and as such openings were timed around key holiday periods. With a 26-week construction programme before the tenants own fit outs, they would achieve a Christmas opening. However, timing was so tight that if they could not commence immediately the opening would be delayed until next Easter at the earliest, which would be disastrous for the centre.

The Chairperson thanked the representatives for their attendance.

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The Committee granted approval to the application, subject to formal resolution of NI Water's objection, with delegated authority given to the Director of Planning and Building Control to finalise the conditions.

**LA04/2021/1702/F - Alterations and 3 storey extension to existing private hospital including vehicular access and car parking (amendment to previously approved two storey permission granted under LA04/2017/0005/Fat 807 - 809 Lisburn Road Belfast BT9 and incorporating part of Kingsbridge Private Hospital at Nos 811- 815 Lisburn Road**

The Planning Manager advised the Committee that the above application had been granted approval by the Committee at its meeting on 15th February. He explained that it would be necessary to notify the Department for Infrastructure in respect of the application, in view of the objection from a statutory consultee, NI Water.

The Committee noted the update which had been provided.

Chairperson

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# Planning Committee

Tuesday, 15th March, 2022

## HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Hanvey (Deputy Chairperson);  
The High Sheriff, Councillor Hussey;  
Councillors Brooks, Matt Collins,  
Garrett, Groogan, Hutchinson, Maskey, McMullan,  
Murphy, O'Hara, Spratt and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. E. Baker, Planning Manager (Development Management);  
Mr. K. Sutherland, Planning Manager (Policy);  
Ms. N. Largey, Divisional Solicitor;  
Mrs. S. Steele, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

(Councillor Hanvey, Deputy Chairperson, in the Chair)

### **Apologies**

An apology for inability to attend was reported from the Chairperson, Councillor Carson.

### **Minutes**

The minutes of the meeting of 15th February were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st March, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### **Declarations of Interest**

No declarations of interest were recorded.

### **Motion: Historic Street Signs**

The Committee considered the undernoted report:

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

**1.1 To consider a motion in relation to Historic Belfast Street Signs, which the Standards and Business Committee, at its meeting on 22nd February, referred to this Committee.**

#### **1.0 Recommendations**

**1.1 The Committee is asked to**

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- Consider the motion and to take such action thereon as may be determined.

**3.0 Main report**

**3.1 Key Issues**

The Standards and Business Committee, at its meeting on 22nd February, considered a report providing details of the motions which had been received for consideration by the Council on 1st March.

- 3.2** In accordance with Standing Order 37(h), the following motion, which had been proposed by Councillor McKeown and seconded by Councillor de Faoite, was referred directly to the Planning Committee for consideration.

**Historic Belfast Street Signs**

“This Council recognises the important role that traditional black tile street signs play in the built heritage of Belfast and the aesthetic benefits they bring to the character of the city. However, it notes with concern the absence of robust protections to ensure their upkeep, which could put at direct threat this significant part of Belfast’s history.

The Council therefore agrees to undertake a review with the aim of identifying firm and practical recommendations for implementation in consideration of the following:

- Creating a register of all historic street signs in Belfast including, where possible, details of their ownership;
- Putting in place arrangements for the timely repair and upkeep of historic street signs, including those which are listed and in council ownership, and those that are not listed;
- Establishing arrangements for the reinstatement of signs which would have originally been traditional black signs but have subsequently been replaced with generic street signs – this could be done when the generic sign needs replaced at the natural end of its lifespan or after damage. Reinstatements should use the traditional white font and black background and may include the use of other materials if appropriate and more practical;

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- **Assessing whether steps should be undertaken to request the listing of all traditional Belfast street signs to provide them with legal protection, particularly those that are not in council ownership and may currently have to protection;**
  - **Putting in place requisite resources to enable the above to be rolled out and continued, including accessing government or third party funding if available to enable heritage and protection work to be undertaken; and**
  - **Any other relevant issues which arise during the course of this review.”**
- 3.3 The Committee should note that a motion which incorporated some of the areas above had previously been referred to the Planning Committee:  
<http://www.internalminutes/ieListDocuments.aspx?CId=167&MID=9745#A156216>.**
- 3.4 A number of the street signs set out in the motion were subsequently listed:  
<http://www.internalminutes/documents/s90925/20210420HEDListingStreetSigns.pdf>**
- 3.5 Officers from Building Control, Planning and City Services are seeking to progress the work set out in paragraph 3 of the original motion and that the motion was referred to the Planning Committee to allow it to determine whether it wishes to incorporate the additional requests.**
- 3.6 Financial and Resource Implications**
- None.**
- 3.7 Equality or Good Relations Implications/  
Rural Needs Assessment**
- None associated with this report.”**

The Committee adopted the motion.

**Committee Site Visits**

The Committee noted that site visits had taken place in respect of the below applications on 3rd March, 2022:

- LA04/2021/2285/F - Apartment Development at 29 Parkside Gardens; and

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- LA04/2021/1808/F - Residential development comprising of 14 dwellings, access from Lagmore View Lane and Lagmore Glen, completion of remaining areas of open space (including hard and soft landscaping), provision of parking bays, speed bumps and bollards to improve road safety along Lagmore View Road, and all associated site works on lands South and East of 148-163 Lagmore View Lane North and West of 37 81 82 and 112 Lagmore Glen and Lagmore View Road

**Request to hold a Pre-Determination Hearing  
and Pre-emptive Site Visit**

The Committee agreed to hold a Pre-Determination Hearing and Pre-emptive Site Visit in respect of the following application:

- **LA04/2021/2856/O** - Mixed use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd. on lands to east of West Link (A12) and south of Grosvenor Road; Lands at Grosvenor Road and intersection of Grosvenor Road and Durham Street; Lands to the east of Durham Street and north of Glengall Street; Lands at Glengall Street; Lands between Glengall Street and Hope Street including Europa Bus Station, Great Victoria Rail Station, surface car parks at St Andrew's Square; Translink lands to west of Durham Street, south of BT Exchange building and north of Murray's Tobacco Works.

**Request to hold a Pre-Determination Hearing**

The Committee agreed to hold a Pre-Determination Hearing in respect of the following application:

- **LA04/2020/1943/F and LA04/2020/1944/LBC** - Residential conversion of the existing listed warehouses to form 57 (1 to 3 bed units, including 60% social and affordable to include a minimum of 20% social housing at 3-19 (Former Warehouse) Rydalmere Street.

**Planning Decisions Issued**

The Committee noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning decisions which had been issued by the Planning Department between 8th February and 4th March 2022.

**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.

**Miscellaneous Items**

**Housing Monitor 2021 - 2022**

The Committee considered the undernoted report:

**“1.0 Purpose of Report or Summary of Main Issues**

- 1.1 To provide an overview of the Council’s Housing Land Availability Summary Report for the 2020/21 monitoring period.**

The report presents the outcomes of annual housing land monitoring and provides a snapshot of the amount of land available for new residential development as of 1 April 2020. It will be supported by an online map portal showing the status of all existing housing monitor sites. The map portal will also spatially reflect key information contained within the tables of the report.

**2.0 Recommendation**

- 2.1 The Committee is asked to note the outcomes of the annual Housing Monitor report for 2020/21 contained here and the intention to publish this summary document and accompanying online map portal on the Council’s website.**

**3.0 Main Report**

**Background**

- 3.1 Members are reminded that the Planning Act (NI) 2011 requires the Council to make an annual report to the Department for Infrastructure (Dfi) outlining the extent to which the objectives set out in the Local Development Plan (LDP) are being achieved. As the Council are currently preparing the first new LDP for Belfast under this new legislation, the production of Annual Monitoring Reports has not yet commenced. Instead, annual Housing Land Availability Monitor reports (referred to as the ‘Housing Monitor’ reports) are being prepared by the Council until the new LDP is adopted.**
- 3.2 Members will be aware that the draft Plan Strategy, the first formal stage of the Belfast LDP, was subject to Independent Examination between November 2020 and March 2021. Although the Council generally aim to publish the Housing Land Availability Summary Report for the previous monitoring period in the Autumn each year, the 2020/21 Report was prepared subsequent to the Independent Examination. The publication of the report was therefore delayed to avoid the introduction of new evidence in advance of the Independent Examination report being forwarded**

to the Council. The Council received the 'Independent Examination Report of Belfast City Council's Local Development Plan: Plan Strategy' on 4th February 2022.

- 3.3 While the Housing Land Availability Summary Report for the 2020/21 monitoring period is being brought to Committee at this late stage, work has commenced on the Housing Land Availability Summary Report for the 2021/22 monitoring period which will be brought to Committee in late summer for publication in the Autumn 2022.

**Housing Land Availability Reports**

- 3.4 The primary purpose of the Housing Monitor is to inform the formulation of the Council's new LDP. However, it will also help the Council identify where a shortfall in potential land supply might exist and can inform house-builders on the availability of land that may be suitable for housing.
- 3.5 The Housing Land Availability Summary Report presents the headline figures from a register of potential housing land maintained by the Council, based on current planning policy designations and planning permissions. This provides a snapshot of the amount of land available for new homes and capacity for future housing units as of 1st April 2020, as well as providing the net gains in housing units for the 2020/21 period. This differs from the new dwelling completion statistics published routinely by central Government which only provide a total for new build homes, without accounting for units lost as a result of redevelopment.
- 3.6 This information is summarised within the report in relation to:
- Each settlement within the District, including settlement areas in the case of Belfast City;
  - Whether land falls within the existing urban footprint (the continuous built-up area of the settlement) or is classified as greenfield land; and
  - The type of land use zoning (i.e. land zoned for housing or land zoned for mixed use development) or all other land.
- 3.7 The report will be supported by the online map portal showing the status of all existing housing monitor sites, on the Development Plan and Policy part of the Council website.
- 3.8 During the 2020/21 monitoring year 603 units were completed on 14.2ha of land across the District. 371.2ha of land remains, with potential capacity for 21,680 residential units. This is based on deliverable planning approvals and land allocated within the

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development plan, but doesn't include other potential sites that may be suitable for residential development.

**3.9** The total number of dwellings completed in the district has fallen by 13.6% from 698 in 2019/20 to 603 in the current monitor year. The proportion of dwellings completed within the Urban Footprint is recorded at 81.6% and, as of 1 April 2021, 36.1% of the remaining potential available for future dwellings is on land zoned for housing or mixed use development.

**3.10** It is emphasised that the monitor represents a register of housing land based on policy designations and planning permissions, rather than an accurate picture of all potentially viable housing land. It should also be noted that this year's report is based on data for the period thus far impacted by the Covid-19 public health emergency. The full implications of the Coronavirus pandemic are likely to be reflected in subsequent reports.

**3.11** Finance and Resource Implications

There are no resource implications associated with this report.

**3.12** Asset and Other Implications

None noted.

**3.13** Equality or Good Relations Implications/  
Rural Needs Assessment

The Housing Monitor report presents factual information and makes no recommendations relating to the future allocation of land for housing. There are therefore no relevant equality or good relations implications attached to this report."

The Committee adopted the recommendations.

**Proposed approach to Employment Monitoring**

The Committee considered the undernoted report:

**"1.0** Purpose of Report or Summary of Main Issues

**1.1** To make members aware of the on-going work in relation to the development of the first draft Employment Land Monitor (ELM) for Belfast. Members should note that additional work will continue in respect of the digital mapping within the district to gain a complete picture in relation to employment land across the city.

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1.2 The council is required to develop and maintain the Monitor to support the delivery of the Local Development Plan and to inform future decision making. Once established it will support the monitoring of policy and the uptake of employment land as projected within Policy EC2 (employment land supply) of the draft Plan Strategy.

1.3 The proposed approach for the ELM reflects that established for the Housing Land Availability Report and will be supported by a similar online map portal.

2.0 **Recommendation**

2.1 The Committee is asked to note the proposed form and content of the draft Employment Land Monitor report for 2020/21 as set out here.

3.0 **Main Report**

**Background**

3.1 The Planning Act (NI) 2011 requires the council to make an annual monitoring report to the Department for Infrastructure (DfI) in respect of the Local Development Plan (LDP) implementation. The work on the evidence base for the draft Plan Strategy has provided the foundation for the employment land monitoring that will be formalised alongside the work to deliver Local Policies Plan.

**Employment Monitor Report**

3.2 The primary purpose of the draft ELM is to inform decision making and the ongoing performance of policy in respect of land supply across the city. As an evolving information source, it will provide a mechanism to identify where imbalances in land supply may develop and can inform prospective investors or developers on the availability of land that may be suitable for employment uses across the city.

3.3 The draft ELM sets out the headline data from the register of potential employment land, based on current planning policy designations and planning permissions. This provides an assessment at a point in time (31st March 2021) for the amount of land available for employment purposes and capacity for future employment across the city.



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- 3.4 This information is summarised within the report in relation to:**
- **completed net employment gains over the period 2020/21;**
  - **remaining net supply (comprising extant consents and sites where development is on-going) at 31st March 2021; and**
  - **the potential additional supply in terms of vacant land suitable for employment use at 31st March 2021;**
- 3.5 This ELM report will be supported by the online map portal showing the status of all existing employment monitor sites alongside the other spatial mapping for the LDP on the council's website. For the 2020/21 monitoring year there was 2724m<sup>2</sup> of employment floorspace completed with the majority of this being office floorspace. At the 31 March 2021 there was approximately 101,000 m<sup>2</sup> of employment floorspace under construction and 509,000m<sup>2</sup> remaining by way of extant planning permissions. Applying the 40% building to plot ratio to the remaining areas provided an additional yield of 344,000m<sup>2</sup>.**
- 3.6 As this is the first year of publication, the data relates only to one year. It is difficult to identify pattern or trends or make conclusions that might be more apparent with average figures calculated over a longer timeframe.**

**Finance and Resource Implications**

- 3.7 There are no resource implications associated with this report.**

**Asset and Other Implications**

- 3.8 None noted.**

**Equality or Good Relations Implications/  
Rural Needs Assessment**

- 3.9 The draft Employment Monitor Report presents factual information and makes no recommendations relating to the future allocation of land for housing. There are therefore no relevant equality or good relations implications attached to this report."**

The Committee adopted the recommendations.

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**Restricted Items**

**The information contained in the reports associated with the following items is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

Resolved – That the Committee agrees to exclude the members of the Press and public from the meeting during discussion of the items as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

**Update on Local Development Plan (LDP)**

The Planning Manager (Policy) provided the Members with a further update on the documentation which had been received from the DfI and the proposed work programme to address the requirements of the statutory Direction, including the potential process for the Council to formally adopt what would be the first draft Plan Strategy to be brought forward under the new system.

He provided the Committee with details in respect of the initial assessment of the Required Amendments (RAs) as well as the proposal in respect of the more significant changes to support the addition of a new strategic policy to the draft Plan Strategy.

After discussion, the Committee:

1. noted the contents of the report;
2. endorsed the proposed response to the requirement for a new strategic policy and modifications to the draft Policy HOU1 for consultation;
3. agreed the proposal for an 8 week consultation as set out in the work programme;
4. agreed to hold a Special meeting in respect of the issues raised and that, as it was a situation of extreme urgency, pursuant to Standing Order 14, that the minutes of the Special meeting be submitted to the Council meeting on 4th April 2022 for ratification so as to meet the timetable; and
5. agreed to the delegated authority requested in paragraph 3.14 for officers to develop a revised LDP Timetable in consultation with DfI and the PAC.

**Participation in Lisburn and Castlereagh  
City Council Independent Examination of  
Local Development Plan**

The Planning Manager (Policy) advised the Committee that the Lisburn & Castlereagh City Council (LCC) Local Development Plan (LDP) had progressed to the Independent Examination stage and that the Council had received an invitation from the Planning Appeals Commission (PAC) to participate. The Committee was also asked to note that the Antrim & Newtownabbey Borough Council (A&NBC) LDP was also scheduled for Independent Examination in May.

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He provided the Members with an update in respect of the proposed participation in the Independent Examination process for the LCCC draft Plan Strategy and outlined the basis for progression of a “Statement of Common Ground” with A&NBC.

The Committee:

- noted the programme for the Independent Examination and the invitation to participate in respect of the session “Sprucefield Regional Shopping Centre”;
- noted the proposed acceptance of the invitation to participate in respect of the Sprucefield sessions and also the intention to pursue a watching brief in relation to the other matters set out within the previous responses to the draft Plan Strategy; and
- supported the proposal for the “Statement of Common Ground” to be progressed with A&NBC in respect of the ongoing development of the LDP documents.

**Local Development Plan (LDP) - Supplementary  
Planning Guidance (SPG)**

The Principal Planning officer provided the Members with an update on the preparation of Supplementary Planning Guidance (SPG) in advance of public consultation and sought approval for the final versions of the proposed Advertising and Signage and Transport documents.

He explained that the SPGs represented non-statutory planning guidance that supported, clarified and illustrated by example policies included in the current planning policy framework including regional policy. The Committee was advised that they were a material consideration in determining planning applications but did not in themselves contain policy over and above what was set out in the plan. They must be read in conjunction with the LDP and the Strategic Planning Policy Statement (SPPS) but, unlike the LDP, they were not subject to the same scrutiny in terms of the statutory process.

The Members were advised that the SPGs had been prepared over the last two years in conjunction with Government Departments and Agencies as well as a number of representatives from professional bodies. He explained that the approach had helped to raise awareness amongst those bodies, to alleviate and address their concerns and to ensure that the Council was abreast of the latest issues.

The Committee:

- agreed the proposed content of the latest versions of the SPGs; and
- supported the addition of the Advertising & Signage and Transport documents to the list SPGs proposed to be issued for public consultation.

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**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 the following two items had been withdrawn by the applicant as they were no longer required:

- (Reconsidered Item) LA04/2019/0082/F – Section 54 application to remove condition 2 of planning permission Z/2010/0434/F on former site of Maple Leaf at Park Avenue (Condition 2 relates to the requirement for the approved social club to be constructed and operational); and
- (Reconsidered Item) LA04/2019/0083/F – Section 54 application to remove condition 2 of planning permission LA04/2015/0075/F on former site of Maple Leaf at Park Avenue (Condition 2 relates to the requirement for the approved social club to be constructed and operational)

**(Reconsidered Item) LA04/2020/0847/F &  
LA04/2020/1208/DCA - Partial demolition and  
redevelopment of existing buildings to provide  
16 apartments, communal bin store and landscaped  
communal garden at 25-29 University Road**

The Principal Planning officer explained that the application had been listed for Committee on 15th June, 2021 but that it had been deferred to allow the Committee to visit the site, which had subsequently taken place on 10th August, 2021. The application was then on the agenda for the Committee on 17th August, 2021, however it was withdrawn from the agenda as amended drawings were submitted late and the proposal description was amended. Further to this, the application was subsequently refused by the Planning Committee on 21st October, 2021 for the following reasons:

1. The proposal was contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the scheme would result in overdevelopment of the site as it failed to provide a quality residential environment for prospective residents due to inadequate and inappropriate public and private amenity space; and
2. The proposal was contrary to the SPPS and Policy QD1 of Planning Policy Statement 7 in that the proposed amenity space would result in an unacceptable adverse impact on proposed residents by way of noise and nuisance.

The Committee was advised that amended drawings had been submitted by the applicant on 22nd October, 2021, the day after the October Committee meeting. The drawings included the reduction by one residential unit and the addition of a roof terrace on the third floor.

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The Principal Planning officer explained that the Planning Department had sought legal advice regarding the submission of the drawings. Whilst the amendments addressed the refusal reasons in respect of the provision of amenity space, additional concerns had been raised regarding personal safety and overlooking. She explained that while there was no legislative provision to require the Council to consider amended plans at any point in the planning process, the Council was duty bound to have regard to all material considerations. Therefore, she explained that the amended drawings had addressed the Council's concerns with regard to proposed amenity space, in accordance with the guidance in Creating Places.

She explained that the additional concerns in relation to overlooking and personal safety were not considered to be insurmountable, and that the agent had submitted further amended drawings to address those concerns. The Members were advised that the amended drawings were uploaded to the Planning Portal on 4th February 2022. The amended application was subsequently re-advertised in the press, additional neighbour notification had been undertaken and the Conservation Area Officer (CAO) had been reconsulted.

The Members were advised that the provision of the roof terrace would result in an additional 40 square metres of amenity space within the proposed development. The reduction in the number of units would also result in a reduction in the quantity of amenity space required. The overall amenity space provision was now 177 square metres, equating to 11.8 sq metres per unit. As per the previous Addendum report, the Principal Planning officer outlined that, as the application site was located within an inner urban location, it was therefore accepted that amenity space of 10 sq metres per unit was acceptable. Additionally, the addition of the third floor roof terrace offered additional choice and space for prospective residents. She outlined that, given that the proposal now complied with the guidelines of Creating Places, it was considered that the proposed amenity space was now acceptable.

The Committee was advised that one additional objection had been received in respect of the proposal. It stated that the buildings within the existing terrace were originally residential in the form of individual dwelling and that the residential aspect had been entirely removed and was of no comparable form in the latest proposals. The Principal Planning officer explained that Nos. 25 and 27 University Road had been in use as a restaurant for a significant period of time, prior to the fire and that the earliest planning permissions in relation to that use dated back to the 1980s.

The Conservation Area officer had been reconsulted and had recommended that, ideally, the ground floor restoration should be based on accurate historical record. The Principal Planning officer explained that while the comments in relation to the ground floor were noted, it was acknowledged that those points had not been made previously and that the application was now at an advanced stage of the process. The Conservation officer's suggestions regarding the style and material of rooflights and dormers on the front elevation were noted, however, and the Members were advised that appropriate conditions could be imposed in the event of approval.

Finally, the Principal Planning officer explained that a Section 76 Planning Agreement would be necessary as part of any approval, as no parking was provided for the scheme. She explained that it would secure a Travel Plan to provide membership of a Car Club, membership of Belfast Bikes and travel cards for 3 years. The Committee was advised that

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the agreement would also secure a façade retention system to ensure that the building fabric, which was important to the appearance of the Conservation Area, was secured during construction, retained and repaired where necessary.

The Chairperson put the officers recommendation to the Committee, namely, to grant approval to the applications, subject to conditions and a Section 76 Planning Agreement and to give delegated authority to the Director of Planning and Building Control to finalise the wording of any conditions and the Section 76 Agreement. On a vote, ten Members voted for the proposal, with 2 no votes, and it was carried.

**LA04/2021/2285/F - Apartment development at  
Parkside Gardens**

The Principal Planning officer provided the Committee with an overview of the application.

She drew the Committee's attention to the large number of Late items which had been received in respect of the application. She explained that letters of support had been received from Newington Housing Association and the Housing Executive's Belfast Region Place Shaping Team. The Committee was advised that officers were supportive of social housing but that the scheme should meet the tests of PPS7 QD1.

The Agent had also submitted correspondence, stating that no feedback had been provided to them; that the refusal reasons included parking issues as well as an impact on trees and that they struggled to understand how the Council had reached that conclusion with DFI Roads and Tree Officer responses still outstanding; that the Arboricultural Impact Assessment and Method Statement which had been submitted on 8th February had not yet been reviewed; they disputed the density figures in the report; and a request for the application to be withdrawn from the Planning Committee.

In response, the Principal Planning officer explained that the application had been the subject of a Pre Application Discussion for a class C3 use – assisted living. The concerns with the application under consideration had also been raised at the PAD despite the change from class C3 to C1 use. She advised the Members that no DFI Roads or parking refusal reasons were proposed and that reference to parking in the refusal reasons was in respect of the layout being dominated by parking, which would contribute to, alongside other concerns, a poor quality living environment for prospective residents. Regarding the trees, she stated that an Arboricultural report had not been requested. Instead, the agent was asked to forward the survey that was used to inform the condition of trees on the tree constraints map but that no report was produced. The Tree officer had since considered the Arboricultural Impact Assessment and Method Statement and had made a number of recommendations and had subsequently requested the removal of refusal reason 4 regarding the impact to trees to be removed.

In relation to density, she advised the Committee that the report, at 9.14, should in fact read "The density of the proposal site would equate to 110 dwelling units per hectare. This is nearly double the highest existing density in the area".

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In respect of further comments which had been submitted by the agent as part of the Late Items report, she advised the Committee that NI Water had recommended a refusal and that the Council owned and maintained Alexandra Park. The agent had stated that there was sufficient communal open space provided and that the site was located adjacent to Alexandra Park. In response, the Principal Planning officer highlighted that officers considered the amenity provision to be insufficient both in quality and quantum, as per the case officer report.

The Committee was advised that a consultation response was received from DFI Roads on 10th February. It had reiterated its request for a Travel Plan. On 14th March the applicant submitted a Travel Plan which included that each apartment would be offered and provided:

- a Metro Travel Card for 3 years, 100% subsidy;
- a Car Club Membership for 3 years, 50% subsidy; and
- Belfast Bike Scheme Membership for 3 years, 100% subsidy.

The Committee was advised that, if approval was to be granted to the application, a Section 76 Agreement would be required to secure the green travel measures, subject to DFI Roads comments.

The agent had submitted an amended layout and elevations, detailing the following points:

- contrary to the Development Management Report, the density of the scheme (91.6 dwellings per hectare) was lower than the surrounding residential area (111.2 dph) and was not therefore out of character. Notably, the Council's Local Development Plan Draft Plan Strategy, which was a material consideration, contained Policy HOU4 which indicated that in inner city areas a minimum density of 75 dph and a maximum of 150 dph would be appropriate;
- an additional 96.1sqm of green amenity space was being provided, resulting in a total of 263.1sqm of amenity space to serve the 11 apartments. That equated to 23.9sqm per apartment, far in excess of the minimum standard of 10sqm as set out in Creating Places;
- the additional amenity space was located to the east of the site complimenting the space already proposed to the west of the site;
- as the amenity space was now both east and west facing and as the building stood off the proposed boundaries there would be no unacceptable overshadowing of the amenity space;
- the parking layout had been reorientated to reduce alleged dominance and provide for the additional amenity space. One space per apartment remained as did a disabled space to serve the complex needs apartment;
- amended fenestration to the southern elevation nearest to existing residential dwellings, comprising a cantilevered bay window to the first and second floor apartments with obscure glazing facing the dwellings opposite and clear glazing for outlook at the sides to prevent direct line of sight while maintaining adequate day light and views over the open space;
- Creating Places stated that "a separation distance greater than 20m will generally be appropriate to minimise overlooking... And that greater

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flexibility will generally be appropriate in assessing the separation distance for apartments and infill housing schemes in urban locations and higher density areas”;

- the planning history advocated a 2.5 storey block;
- the application addressed unmet social need; and
- it included the regeneration of brownfield site.

In response, the Principal Planning officer outlined to the Committee that:

- the agent’s amenity space calculations included paths around the building which was wrong. The total amenity space was approximately 180 sqm. That equated to approximately 16 sqm per unit. The key here was the provision of ‘private open space’, as per ‘Creating Places’, as the additional amenity space provided was not private. The site sat within a residential area where the character was that of dwellings enjoying private amenity space. The desire for private open space in apartment developments was highlighted by the Planning Appeals Commission in their report on an appeal against the refusal of permission for an apartment scheme on Eia Street;
- in respect of the relationship of the building to the proposed amenity space - to the west, the space was sandwiched between the building and the boundary of the site and adjacent trees, the overall quality of the space provided was therefore questionable. Each area would be overshadowed by the scale of the building due to the orientation. The additional amenity space was sandwiched between a 3 storey building and high boundary trees and would be completely overshadowed in the evening by the building;
- the amenity space had been provided at the cost of a turning area and the re-positioning of two parking spaces;
- the windows had not been removed and remained at first and second floor level, giving the perception of being overlooked. As those windows were located in habitable rooms (kitchen/dining area) it would be unreasonable to use obscure glazing or to secure by a planning condition. Irrespective of the introduction of obscured glazing on two windows the first and second floor windows on the southern elevation facing directly onto the rear of the two closest dwellings remain unchanged.
- whilst a 20m separation distance was generally accepted, in this case officers considered it to be insufficient. It was a three storey apartment block in the immediate backland of 3 residential dwellings, with habitable second floor windows overlooking the rear of adjacent housing. Flexibility could be applied in higher density areas but not to the extent whereby a window at approximately 7.5m above ground level overlooked an adjacent dwelling;
- proximity to open space did not outweigh the need for adequate and appropriate amenity space on-site;
- 8 units were previously permitted as an Outline in principle only, not 11;



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- it was acknowledged that it was in an area of housing need but, as the proposal failed to meet specific planning policy requirements it did not meet regional planning policy; and
- whilst regeneration was welcomed, it should be in a manner that was appropriate to the site and the existing context.

The Chairperson welcomed Mr. G. McGill, agent, Mr. R. Dougan, architect, and Mr. B. Kerr, Apex housing, to the meeting. Together they advised the Committee that:

- an additional 96sq metres of amenity space was provided, totaling 263sq metres on site, which equated to 23.9sq metres per apartment and was therefore far in excess of the minimum standards in Creating Places;
- the parking layout had been redesigned;
- obscured glazing was proposed in parts to mitigate against the possibility of overlooking;
- there were many other 2.5 storey buildings in the immediate vicinity;
- they queried how the Council had calculated the density of the site, as they calculated it as 91 dwellings per hectare, while the density of the surrounding area ranged from 77 to 233 dwellings per hectare;
- North Belfast was the area of greatest housing need in the City, with 2906 applicants on the waiting list; and
- singles and small families accounted for 75% of that waiting list.

A Member thanked the representatives for their presentation. He stated that he had attended the site visit in respect of the application and queried why they had included 11 car parking spaces as part of the scheme.

In response, Mr. McGill explained that the site was within an inner city area and there would usually be a greater amount of parking required but that the site's proximity to transport links justified the reduced level of parking. He added that they felt that the new layout had addressed officers' concerns in terms of creating more amenity space.

A further Member queried why the application included no private amenity space for residents. In response Mr. McGill explained that it was felt that the open space to the east and the west of the site was adequate and compliant with policy, and that while they acknowledged that the planners had stated that the site's proximity to Alexandra Park did not justify a lower level of open space within the development, Mr. McGill was aware of numerous examples whereby a reduced level of open space had been deemed acceptable because of their proximity to existing areas of open space. Mr. Dougan added that the site was bounded by Alexandra Park on three sides.

In response to a Member's question regarding overshadowing, Mr. Dougan advised the Committee that the amenity spaces to both the east and the west of the building would give the residents options for both morning and evening sunshine, which was better than the nearby houses which had north facing gardens.

A Member stated that comparing the application with terraced housing which was built a number of years ago was not an adequate level of ambition for modern day residential accommodation.

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In response to a further Member's question, Mr. McGill stated that officers had not provided their calculations in regards to the stated levels of density, and that they disputed them as they were very different to their own figures. He added that he was happy to share their calculations with the Committee as they were confident in them.

A Member asked officers what they would have liked to have seen in the application in terms of amenity space. In response, the Principal Planning officer outlined that the Eia Street Planning Appeals Commission decision had illustrated that amenity space had to be of quality and not just of quantity. She explained that the building in the application would largely overshadow both areas of amenity space provided for quite a period of the day and, given that all residents were relying on that space because there was no private amenity space, it did not constitute a quality living environment. She added that officers had considered the plot ratio of the building to the site and had concluded that two sides of the building would have an outlook onto hardstanding areas and to the backs of other buildings. In relation to the density query, she stated that the proposed density was much higher than the surrounding area as it comprised dwelling houses and the application was a high density apartment block.

A Member asked the agent whether they would consider removing some car parking spaces in order to explore the creation of additional amenity space. Mr. Dougan explained that one space per unit had been requested by the client.

In regards to the amenity space, Mr. Dougan advised that Creating Places provided that "private communal open space was acceptable in the form of landscaped areas, courtyards or roof gardens at a minimum of 10 – 30 sq metres per unit, where the appropriate level was to be determined for the particular context and design concept." In response to a further Member's question, he clarified that the areas would be screened by a boundary.

In response to a Member's question as to whether they would reconsider the number of car parking spaces which would be provided, in order to address the amenity space issues, Mr. McGill confirmed that they would.

A number of Members stated that there were other concerns with the application which would not be addressed by the reconfiguration of the parking spaces, including the density, the layout of the hardstanding, the overshadowing of the amenity space, the obscured glazing of the windows and that there was a statutory objection from NI Water. They stated that it was important that the applicant was aware that those issues would remain of concerns to other Members.

Moved by Councillor Murphy,  
Seconded by Councillor Maskey and

Resolved - that the Committee agrees to defer consideration of the application to allow the applicant to reconsider the number of parking spaces provided within the development with a view to addressing amenity concerns.

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**(Reconsidered Item) LA04/2019/0081/F –  
12 affordable housing apartments on former site  
of Maple Leaf at Park Avenue**

(Councillor Hutchinson left the meeting at this point in proceedings)

The Planning Manager provided the Committee with the details of the application and application LA04/2020/2325/F, which was also on the agenda and was inter-related.

He explained that the application, along with associated applications LA04/2019/0082/F and LA04/2019/0083/F, had been considered by the Planning Committee in December 2019. The Committee had resolved to approve all three applications subject to conditions and a Section 76 Planning Agreement. The planning agreement was intended to secure the following:

- a developer contribution of £52,000 for enhancement works at the King George V Playing Fields;
- securing the 12 apartments as affordable housing; and
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided as part of the development of the 12 apartments.

He reported that, since the applications had been approved by the Planning Committee, both the Planning Service and Legal Services had made significant efforts to finalise the Section 76 Planning Agreement. However, it had not been possible to progress it with the applicant. Firstly, it was disputed that the 12 apartments should be delivered as affordable housing, despite it being central to the consideration of the planning balance and justification for the grant of planning permission, the proposal being contrary to Policy OS 1 of PPS 8 through the loss of Open Space. Secondly, and more recently, by failure to commit to the delivery of the pocket park, which was essential recreation space to off-set the lack of amenity space within the proposed development, as well as to help compensate for the loss and limited provision of Open Space overall. He stated that officers considered the terms of the planning agreement originally agreed by the Committee to be wholly reasonable. The Members were reminded that the Section 54 applications, LA04/2019/0082/F and LA04/2019/0083/F, had been withdrawn by the applicant as they were no longer required. He stated that officers advised that the application could not be separated out from the agreement.

The Committee was provided with the planning history of the site. In June 2011, permission had been granted on the site and adjacent land to the east where the Maple Leaf Club was originally located for mixed use development comprising 21 dwellings and a replacement social club (Z/2010/0434/F). The original permission included conditions requiring the provision of social housing and the build out of the replacement social club, required to offset the loss of open space. Those conditions were subsequently varied under applications Z/2011/0827/F and Z/2011/0829/F.

Planning application LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme, for the replacement of the Maple Leaf Club and the erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club

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and amended some of the house types. Condition 2 prevented occupation of the residential units until the replacement Maple Leaf Club had been erected in accordance with the new approved plans. Condition 3 required that the development would be delivered as social / affordable housing. The Planning Manager advised that it appeared that the main site access and part of the access road had been constructed and therefore, it was considered that the development had commenced and represented a fall-back for the developer, albeit it would require the construction of the replacement social club.

In 2019, the applicant had applied for permission for 12 apartments on the land where the replacement social club was to be built (LA04/2019/0081/F). Two associated applications were submitted at the same time seeking removal of the conditions requiring the construction of the replacement social club attached to planning permissions Z/2010/0434/F and LA04/2015/0075/F (LA04/2019/0082/F and LA04/2019/0083/F respectively). He explained that all three applications were approved by the Planning Committee in December 2019, subject to conditions and the completion of a Section 76 Planning Agreement.

In terms of the original planning permission for the erection of 21 dwellings and replacement social club on the application site and adjacent land (Z/2010/0434/F) and subsequent modifications (planning permissions Z/2011/0827/F, Z/2011/0829/F and LA04/2015/0075), those were considered to have commenced by virtue of the formation of the access and road. Therefore, the applicant had a fall-back position, albeit the housing development could not be occupied without the delivery of the community building as previously granted.

The Committee was advised that a further application for 21 dwellings on the adjacent land had been submitted by the landowner and Housing Association (LA04/2020/2325/F). That application was being considered subsequent to this one due to the linked nature of the applications. He explained that that application was also for affordable housing and was being brought forward by a Housing Association with funding support from NIHE. NIHE had advised that in order to secure the funding from this year's housing programme, planning permission would need to be granted by 31st March 2022 although it might still be possible to progress the scheme with a resolution from the Council to grant permission. The Committee was asked to note that application LA04/2020/2325/F was reliant on application LA04/2019/0081/F being progressed to approval, as it was reliant on the pocket park being granted planning permission. He outlined that it would serve not only the proposed 12 apartments but also the proposed 21 dwellings (as well as other surrounding housing).

The Committee's attention was drawn to the Late Items pack, where the Northern Ireland Housing Executive (NIHE) had advised that it was supportive of the application. The NIHE had stated that the site was located within the Middle East Housing Need Area which had a five year need for 307 units for the period 2021-2026.

The Planning Manager explained that the applicants had also confirmed their agreement to the inflationary uplift (Consumer Price Index linked) to the £52,000 Financial Developer Contribution towards enhancements at the King George V Playing Fields.

In relation to the delivery and ongoing maintenance of the pocket park, the Planning Manager explained that it was essential to off-set the substandard level of amenity within the

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proposed 12 apartments, as well as to help off-set the loss of open space and the lack of open space within the wider development.

In response to a Member's question as to why the original Section 76 Planning Agreement terms could not be met by the developer, the Planning Manager explained to the Committee that the reasoning was set out in the Committee report. While they appreciated that it was not an ideal scenario, officers were nevertheless keen to see the applications progressed given that they would deliver significant benefits to the area, including much needed quality social housing.

After discussion, the Committee granted approval to the application with conditions and subject to a Section 76 Planning Agreement to secure the following:

- a developer contribution of £52,000 for enhancement works at the King George V playing fields – the value of the contribution would be subject to an inflationary uplift for the period from December 2019;
- securing the 12 apartments as affordable housing in perpetuity; and
- ensuring the delivery and ongoing maintenance of the proposed pocket park to be provided prior to occupation of any of the approved 12 apartments.

Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement. If the Section 76 was not signed and completed within 3 months, the application would be reported back to the Committee.

**LA04/2020/2325/F - 21 dwellings (affordable housing)  
on former site of Maple Leaf at Park Avenue**

The Planning Manager advised the Committee of the details of the application, which was linked to the previous application, LA04/2019/0081/F. It sought permission for 21 social/affordable housing units, comprising 17 townhouses and 4 semi-detached dwellings, with car parking, landscaping and associated site and access works.

He outlined the key issues which had been considered during the assessment, including the principle of development, the loss of open space, provision of public and private amenity space, impact on the character and appearance of the area, impact on residential amenity, impact on existing trees / proposed landscaping, access and parking, drainage and flood risk and waste-water infrastructure.

The Committee was advised that the site was un-zoned 'whiteland' within the BUAP 2001 and draft BMAP 2015. The proposed development would result in the loss of open space, including the bowling green previously located on the site, protected by Policy OS1 of PPS 8.

The Planning Manager explained that permission had been granted in June 2011, under Z/2010/0434/F, on essentially the same site, but that had also included land to the west for a mixed use development including a replacement of the original Maple Leaf club and 21 dwellings. That Members were advised that that permission included conditions requiring

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the provision of social housing and build out of the replacement social club, which was required to offset the loss of open space. Those conditions were subsequently varied under applications Z/2011/0827/F and Z/2011/0829/F.

The Committee was advised that LA04/2015/0075/F was granted in February 2016 for modifications to the original scheme for replacement of the Maple Leaf Club and erection of 21 dwellings (Z/2010/0434/F). The amended scheme reduced the size of the club and amended some of the house types. The Planning Manager explained that Condition 2 prevented occupation of the residential units until the replacement Maple Leaf Club had been erected. Condition 3 required the development to be delivered as social / affordable housing. He outlined to the Committee that it appeared that the main site access and part of the access road between Blocks A and C had already been constructed and that that served the development of 13 houses to the north of the site (LA04/2015/0052/F). Therefore, it was considered that the development had commenced and represented a fall-back position for the developer, albeit that it would require the construction of the replacement social club. He reported that the current application for 21 social/affordable dwellings was a standalone application for residential development and that the developer did not wish to construct the social club as previously approved.

He reminded the Committee that it had previously resolved to approve application LA04/2019/0081/F for 12 apartments (social/affordable housing) on the part of the site previously approved for the replacement social club.

The Members were advised that Policy OS2 required public open space to be provided as an integral part of new housing schemes of 25 units or more, and stated that at least 10% of the total site area should be open space in normal circumstances. Whilst the proposal was for 21 dwellings, he advised the Committee that it was being brought forward in combination with the development of the immediately surrounding lands of 13 units and the proposed 12 apartments to the west (46 units in total). The proposal included some minor areas of maintained open space, however, those areas did not amount to 10% and offered limited amenity value. The proposal was therefore contrary to Policy OS 2 of PPS 8.

The Committee was also advised that Policy OS1 of PPS 8 stated that development resulting in the loss of existing open space would not be permitted, however, an exception would be allowed where it was clearly shown that redevelopment would bring substantial community benefits that decisively outweighed the loss of the open space. It was considered that the provision of affordable housing did not by itself outweigh the loss of the open space.

The Planning Manager reminded the Committee that, in resolving to grant planning permission for the 12 apartments to the west (LA04/2019/0081/F), the Committee had taken the view that the relaxation of the requirement to provide a new club to replace the Maple Leaf Club and to off-set the loss of open space from the site could be justified provided that:

1. the 12 apartments were delivered as affordable housing;
2. a Financial Developer Contribution of £52,000 was paid to improve off-site open space facilities; and
3. that the proposed pocket park in front of the apartments was delivered to provide valuable open space to serve not only the proposed 12 apartments

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but also the surrounding houses, including the extant permissions for 21 dwellings on the application site.

He advised, therefore, in order to be consistent with the Committee's previous decisions in December 2019, in respect of the 12 apartments on the adjacent site, it was also necessary that the pocket park would be delivered as part of the scheme for 21 dwellings. Otherwise, it would have insufficient open space and there would be insufficient off-set for the loss of the original open space on the site. Moreover, he advised that the £52,000 should also be secured as part of any permission for the 21 dwellings. He explained that that amount was agreed by the Committee in December 2019 but should be increased to allow for inflation. He outlined that an obligation should also secure the temporary treatment of the site if the construction of the 12 apartments was to be delayed or not built. Subject to those obligations, he outlined that the proposal was considered acceptable having regard to Policies OS 1 and OS 2 of PPS 8.

The Committee's attention was drawn to the Late Items pack, whereby the agent had confirmed their agreement to the following obligations, to be secured by way of a Section 76 Planning Agreement:

- a single payment of £52,000 plus inflationary uplift (Consumer Price Index linked); and
- the delivery of the 21 dwellings as social/affordable housing.

However, for logistical reasons, the applicant had advised that they were unable to agree to the requirement that the pocket park would be delivered prior to occupation. They advised the Committee that that was due to the following reasons:

- underneath the site of the pocket park was the main sewer and electrical cable. Access would be required until the full adoption of the sewers;
- the access for gas connection;
- the construction of the apartment block would require access for scaffold, plant and piling rig;
- it was the only area left for welfare facilities; and
- it would be the last part of construction on the overall site from a practical view.

The Planning Manager advised the Committee that the applicant had stated that they were confident that they would be able to deliver the 12 apartments within that period and at the same time complete the pocket park. However, should that not be possible, it proposed a clause in the Section 76 Agreement to require the delivery of the pocket park within 24 months from occupation of the first dwelling within the 21 dwelling scheme. The pocket park would be managed by Choice Housing Association.

The Planning Manager outlined to the Members that it would be impracticable to deliver the pocket park prior to occupation of the 21 dwellings for the reasons set out by the applicant and therefore, the officer recommendation would be that the pocket park was to be delivered no later than two years from the date of first occupation. A planning obligation would also be required to secure its future management.

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On balance, the Committee was advised that it was considered that the proposed development respected the surrounding context and was appropriate to the character and topography of the site in terms of layout, scale, proportions, massing and appearance of buildings and landscaped and hard surfaced areas.

He explained that minor concerns regarding overlooking between Blocks C and D had been raised, however, given the extant approval on the site and the similar layout, it was considered acceptable. The Member were advised that there were no concerns regarding natural light, outlook or shadow.

The Committee was asked to note that the Environmental Health Service had raised concerns regarding the level of noise within the external amenity areas of the 4 semi-detached dwellings. However, it had concluded that if the development was desirable and given its urban location, it should not be prohibited on the basis of high external noise levels in some garden areas. Consequently, it had not offered any objections to the proposal.

In terms of private amenity space, each dwelling would have an average provision of approximately 50 square metres. The Planning Manager explained that there were slight concerns regarding the amenity space provision of some proposed dwellings. However, given that there was an extant approval on the site for a similar layout, it was considered acceptable.

In regards to parking, the proposed development was accessed via Park Avenue. No in-curtilage parking was proposed, however, communal car parking space was proposed within the development. DFI Roads had provided comments on the proposal and had offered no objection, subject to conditions.

The Members were advised that the proposal involved the removal of trees along the Park Avenue boundary. A tree survey had been submitted and the Council's Tree Officer had no objection. Furthermore, additional compensatory planting had been proposed which would help to soften the proposal and assist its integration.

The Committee granted approval to the application with conditions and a Section 76 Planning Agreement to secure the following:

- provision of the 21 units as affordable housing (social / intermediate housing);
- the pocket park proposed under LA04/2019/0081/F was to be delivered no later than two years from the date of first occupation of the 21 units;
- the future management of the pocket park;
- temporary treatment of the site for 12 apartments if those were delayed or not built out;
- securing of the £52,000 with inflationary uplift since December 2019 (if it had already been paid in relation to application LA04/2019/0081 then it would not have to be paid twice).

The Committee further agreed that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions and the Section 76 Planning Agreement.

(Councillor Hutchinson re-joined the meeting at this point in proceedings)



**Meeting of Planning Committee,  
Tuesday, 15th March, 2022**

**LA04/2021/1242/F - Change of use from  
coffee shop to extension of amusements arcade  
on the ground floor at 28 Bradbury Place**

The Planning Manager provided the Committee with the principal aspects of the retrospective application.

He explained the key issues which had been considered during the assessment of the application included the principle of an amusement arcade at that location, the impact on the character and appearance of the area and the impact on amenity.

He outlined that the site was “white land” within BUAP and dBMAP and within the Belfast City Centre in both Development Plans. The surrounding area was of mixed character containing a variety of retail, offices, bars, restaurants and a hotel opposite. New purpose built managed student accommodation was being constructed on the land to the south. There were no family dwellings or schools in the immediate area.

The Committee was advised that Environmental Health and DFI Roads had offered no objections. Building Control, which was responsible for amusement licensing, was concerned that the proposal might result in a cumulative impact due to the number of amusement arcades in the surrounding area. There were currently three other amusement / gambling premises within 200 metres. Officers advised that the proposal was to extend an existing amusement arcade and not to create new amusement arcade premises. The site was located within the City Centre where main town centre uses such as this were acceptable in principle. There would be no harmful impacts on the character and appearance of the area, amenity or transportation.

The Committee was advised that no third party objections had been received.

(Councillor Groogan joined the meeting at this point during proceedings)

The Deputy Chairperson welcomed Ms. L. McCausland, on behalf of the applicant, to the meeting. She advised the Committee that while the sign on the exterior of the site had been changed, there were no gaming machines currently within the café area of the site and that Building Control had been out on a number of occasions and could therefore verify that.

In response to a Member’s question, the Planning Manager confirmed that, while the Permit Policy was a material consideration for the Committee, officers did not feel that there were any planning reasons on which to refuse the application. The Divisional Solicitor advised the Committee that the applicant would still have to go to the Licensing Committee to request a permit for the site, irrespective of the decision taken by the Planning Committee.

The Chairperson advised the Committee that the application was recommended for approval, with delegated authority given to the Director of Planning and Building Control to finalise the conditions. On a vote, six Members voted for the recommendation, two against and four no votes, and it was accordingly declared carried.

**Meeting of Planning Committee,  
Tuesday, 15th March, 2022**

**LA04/2021/2825/A - Retention of mesh banner  
signage (19.1m by 9.84m) for a temporary period  
of 24 months on former Belfast Telegraph Printworks,  
124-132 Royal Avenue**

The Principal Planning officer outlined the details of the retrospective advertisement consent which was being sought for a temporary mesh banner sign for a period of 24 months.

The Committee was advised that the Belfast Telegraph Building itself, adjacent, was listed and that the site was directly opposite the Cathedral Quarter Conservation Area.

The key issues which had been considered during the assessment of the proposed development included:

- impact on local amenity
- impact on public safety
- impact on the setting of listed buildings; and
- commercial and regeneration considerations

The Members were advised that the site was located within the city development limits for Belfast as designated within the Draft Belfast Metropolitan Area Plan 2004.

Historic Environment Division had been consulted and considered that the proposal was contrary to the policy requirements of SPPS 6.12 and BH11 of PPS6. It had stated that the material, size, scale, alignment and location of the banner signage, in proximity to the historic fabric of the listed building, adversely affected its setting. HED noted that previous permissions in respect of the signage had been granted consent for 2 years and 1 year respectively.

The Principal Planning officer outlined that the proposed advertisement was considered contrary to Planning Policy (PPS17 Outdoor Advertisements) and was therefore considered unacceptable. There was a history of previous applications on the site for the same proposal. However, the most recent application, LA04/2021/1586/A, had been before the Planning Committee for consideration in October 2021. At that meeting, the Committee had raised concerns with the fact that the proposal had already been granted an extension and there was no further advancement in the development of the site. The Committee had resolved to refuse the application in November 2021 on the following grounds:

1. The proposed advertising, was contrary to AD 1 of PPS 17, in that the advertising by virtue of its position on the host building, its size and scale would through its undue prominence and excessive visibility have an adverse impact on the amenity of the area, the character of the area and detract from the appearance of the building.
2. The proposed advertising shroud, was contrary to BH 11 of PPS 6, in that the advertisement would, if permitted, not respect the architectural form and detailing of the Listed Building by reason of its scale, height and alignment and did not respect the character of the setting of the heritage asset.

**Meeting of Planning Committee,  
Tuesday, 15th March, 2022**

The Deputy Chairperson welcomed Mr. S. McGimpsey, applicant, to the meeting. He outlined the difficulties that the commercial property market was facing as a result of the Covid-19 pandemic. He advised that the locality was going through a period of transition with the construction of the new university campus and that the aim of the application was to secure a tenant and funding package to enable the commencement of development of the site.

The Principal Planning officer explained that, whilst the applicant's position was not unreasonable, it could be argued that, given the advert had been in place for such an extended period, and had failed to garner the required interest, then the owners should perhaps consider deploying other means of advertising.

A Member stated that they did not feel that the sign was doing any harm in the area.

Further Members requested clarity from officers in respect of whether an enforcement case had been raised in respect of the sign which had been displayed on the building very recently, despite the Committee having rejected the application in November 2021. In response, the Principal Planning officer explained that enforcement cases were paused where an application was going through the planning process.

The Committee agreed to refuse Advertising Consent as the proposal was contrary to PPS 17 – Control of Outdoor Advertisements, Policy AD1 and paragraphs 6.12 of the SPSS and Para's 6.20, 6.59 & Para 6.60 of the SPSS in relation to the impact on the setting of the Listed Building and the Conservation Area.

(The Committee adjourned for five minutes at this point in proceedings)

**LA04/2021/0720/F - Change of use of a dwelling to  
2 apartments with an extension at 64 Ashley Avenue**

The Principal Planning officer presented the main details of the application to the Committee, for the subdivision of an existing dwelling into two apartments with a two-storey rear extension.

She explained that the surrounding area was residential and that the site was located within the Lisburn Road draft Area of Townscape Character in dBMAP (2014).

The Committee was advised that the application had been submitted before the Committee as NI Water objected to the proposal.

The key issues which had been considered during the assessment included:

- the principle of dwelling at that location;
- character/layout/design;
- private amenity/landscaping;
- access/parking;
- impact on neighbouring amenity;
- impact on an established residential area; and
- the NI Water consultation response.

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Tuesday, 15th March, 2022**

The Principal Planning officer explained that the area displayed both dwelling houses and apartments as well as conversion to apartments and therefore, in principle, the conversion was acceptable. She described how the scale and massing of the extension was considered sympathetic with the existing dwelling and the surrounding area. The Members were advised that the internal space standards were exceeded, and that the private amenity space provided was also well in excess of that recommended.

She outlined that NI Water had not recommended refusal but that it had stated that public foul and public storm capacity was not available at present to service the proposed development.

The Principal Planning officer explained that no supporting data or information had been provided by NI Water in respect of the application. She outlined that, while the objection was a material consideration, it was a matter for the Committee to determine the weight to be attached to it.

The applicant had been advised to liaise with NI Water and NI Water had advised that it intended to upgrade the Waste Water Treatment Works. The Principal Planning officer explained that the proposed apartments would contain 3 bedrooms, which was the same as the existing dwelling and that the maximum number of occupants was not therefore being increased. She outlined that whilst it was acknowledged that each apartment would have its own kitchen and toilet which might generate more waste water, it was considered that the modest scale of the scheme presented a significantly like for like proposal which would not exacerbate the impact on the waste water system to such a level that would warrant a refusal. She advised the Committee that the applicant was currently in discussions with NI Water regarding a potential solution and that it was considered that the issue could be resolved by means of a pre occupation condition.

The Committee was advised that NI Water had a duty to connect significant committed development across the city to its waste water infrastructure. Such development, which included unimplemented permissions for over 20,000 houses and significant levels of commercial space across the city, would not all come forward at once and some might not come forward at all. It was therefore considered unlikely that the proposal would result in a significant impact on waste water infrastructure over and above the existing use of the site.

It was reported that one objection had been received, citing issues with on-street parking in the area. The Principal Planning officer explained that DFI Roads had been consulted and had no objections.

A Member queried whether the officers had the figures in relation to the existing number of Houses in Multiple Occupation (HMOs) and flats on that street. She also queried whether, given the Local Development Plan (LDP) was at a more advanced stage, prematurity would be a factor in respect of the Committee taking a decision on the application without those figures.

In response, the Principal Planning officer advised that unfortunately officers did not have those figures to hand but that the LDP had not yet been adopted and that officers were content that the application could be approved. The Divisional Solicitor advised the Committee

**Meeting of Planning Committee,  
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that the SPPS required that the Committee considered existing policies until such times as the draft plan Strategy had been adopted and therefore limited weight should be given to the draft plan. She added that officers did not feel that the application would engage the issue of prematurity and that prematurity applied in cases where the type and scale of development would prejudice the delivery of the aspirations within the LDP. However, it was up to the Committee to consider if it wished to defer the application in order to receive the figures which had been requested.

Moved by Councillor Groogan,  
Seconded by Councillor O'Hara and

Resolved – that the Committee agrees to defer consideration of the application in order that it would be provided with the figures of existing HMOs and flats within the area, in light of concerns about potential prematurity in relation to the draft LDP Plan Strategy.

**LA04/2021/2144/F - Residential (social housing)  
development comprising of 2no. Apartment buildings  
containing 52no. apartments (housing mix of 5no.  
3p/2b Wheelchair & 47no. 3p/2b CAT 1 apartments)  
at 150 Knock Road. (Change of design to extant planning  
permission ref: Z/2011/0426/F)**

The Principal Planning officer provided the Committee with the key aspects of the application.

The key issues which had been considered during the assessment of the proposal included:

- the principle of the proposed development and use at that location;
- layout, scale, form, massing, and design;
- impact on built heritage;
- impact on amenity;
- impact on transport and associated infrastructure;
- flooding and drainage impacts;
- impact on natural heritage assets;
- contamination and remediation of the site; and
- developer contributions.

The Committee was advised that the site fell within the development limit within the BUAP and in both versions of dBMAP and was not subject to any zonings. The Principal Planning officer explained that redevelopment of the site for residential use was acceptable under the previously granted permission and that there had been no change in policy direction since that time, subject to detailed considerations as set out in regional policies.

He explained that the proposed layout essentially repeated the previously approved layout arrangements, comprising two blocks, one behind the other, with areas of landscaping and parking. The front block siting had been revised from the previous permission and was

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within a more constrained footprint so that the block did not extend as close to the site frontage. He outlined that the separation distances between the apartment blocks had been slightly reduced to an average of 33 metres. The rear block was located further away from the rear boundary compared to the previous approval by approximately 1.5 metres.

The Committee was advised that the layout did not include basement parking within the layout, as previously approved. Parking court areas were proposed instead, resulting in an increased area of hard-surfacing compared with the previous permission. He explained that it roughly equated to the larger built form area of the buildings in the previous permission and was acceptable.

The Members were advised that the front block had been reduced in height by approximately 1 metre from the previous approval. The height of the rear block had also been revised, with an overall reduction of approximately 1.9-2 metres from the highest section, but with a slight increase of the lower section of 1.3 metres compared to the previously approved details.

The Principal Planning officer reported that the proposal would not adversely impact on the amenity of existing residents due to the separation distances to existing properties and the layout which would ensure no adverse amenity impacts for prospective residents. He explained that amenity space provision equated to 18 square metres per unit and the overall open space provision exceeded the 10% requirement in PPS7 & PPS8. The site was also in close proximity to public open space. The floorspace of the proposed apartments was in accordance with the space standards as set out in PPS7.

Parking would be provided at a ratio of 1:1 which was slightly below parking standards. However, Travel cards for a period of 3 years, in addition to a car club facility, were proposed as part of the travel plan arrangement to mitigate against the deficit. DFI Roads had no objections and the proposal was therefore considered compliant with relevant policies.

The Principal Planning officer explained that 35 objections had been received along with one letter of support. The issues raised included height and positioning of the buildings, impact on traffic, residential use was not appropriate given its proximity to the A55 in terms of pollution from vehicle fumes and noise, health and safety impacts from the adjacent golf course, it ignored the surrounding established environment, it was a major development for which the developer had failed to consult stakeholders, it assumed use of Shandon Park Golf Club land to enable the development to proceed and that it would destroy the existing boundary treeline. The issues raised had been fully considered in the report.

The Principal Planning officer outlined that officers had met objectors from Shandon Park Golf Club on 10th March, 2022. They had reiterated their objections at the meeting, including the need for a ball catch fence.

The Chairperson welcomed Mr. H. Thompson, on behalf of Shandon Park Golf Club, to the meeting.

**Meeting of Planning Committee,  
Tuesday, 15th March, 2022**

He advised the Committee that:

- the Golf Club had no objection to the development of the site for social housing, rather, their objections focused on two main points:
  - the positioning of the residential blocks and how the developer intended to construct them without damaging the Club's property and the existing landscaping; and
  - the boundary treatment which was proposed now that the works had commenced and the developer had removed the existing boundary trees and hedgerow;
- the natural boundary to the south consisted of trees and hedgerow and had been destroyed by the developer's contractor, who, over the last couple of months, had cleared everything inside the development site including the Club's property;
- while the Club had been advised that that was a civil matter between the parties, it was important to note that not only had the boundary been destroyed but in doing so the developer had regraded the few metres of Shandon land on the outside of the fence to enable the retaining walls to be built;
- the Club had written to the developer regarding the destruction of its land and existing boundary and, in response, they had claimed that they would be providing enhanced landscaping which was ludicrous as trees and landscaping would take at least 20 years to mature;
- he requested that the Committee would, if granting permission, condition that the applicant would provide a ball-catcher fence 10-12 metres high to provide protection whilst any new landscaping was maturing, similar to another development at 55 Shandon Park whereby the developer had been given planning approval subject to conditions to erect a ball-catcher fence and semi-mature trees;
- before the site was cleared, the thick boundary hedging on all sides was very difficult to penetrate. The new development had now stripped this significantly, not only on the south side but also the northern boundary which sloped very steeply to a river which formed their joint boundary;
- clearing the hedging had exposed the development to a slope of 9-10 metres high over a length of 15 metres. They believed that with the site cleared of vegetation, it was only a matter of time before the ground collapsed and blocked the watercourse; and
- it was anticipated that the difficulties encountered by trespass, anti-social behaviour and abuse that they experienced elsewhere, where the course perimeter was weak, would be echoed here, if the planning approval did not condition the erection of a substantial metal fence on all boundaries rather than a timber post and board fence which would deteriorate in a few years.

**Meeting of Planning Committee,  
Tuesday, 15th March, 2022**

The Chairperson then welcomed Mr. B. Owens, agent, Mr. P. Turley, Architect, and Ms. A. Conway, Radius Housing, to the meeting. Together they advised the Committee that:

- the apartments were for the active elderly/over 55s and 5 units for wheelchair users;
- they wanted to be a good neighbour and had offered to meet with the objectors in respect of the boundary concerns raised, however, the extant permission meant that there was a fallback position for the applicant and that they were keen to commence with the development as quickly as possible;
- the design was not dissimilar to the previously approved plans and in fact provided significant betterment with reduced building heights and greater separation distances from the surrounding boundaries;
- in relation to trees and boundaries, an independent tree impact assessment had been submitted which identified a number of trees to be removed due to health and safety and tree condition;
- a landscaping plan had also been submitted which sought to complement and supplement the retaining boundaries and included a number of semi mature trees;
- the area was in great need of social housing and that it was important to note that those who would be moving into the newly built accommodation for the over 55s would therefore free up family accommodation elsewhere in the system; and
- it was a vacant brownfield site and the project would bring regeneration of £10 million.

A Member asked the officers if the request from the Golf Club for the requirement to install a ball-stop fence could be included as part of any approval. In response, the Principal Planning officer explained that it would not be appropriate to attach such a condition as the health and safety issues was a matter for the golf club to ensure that golf balls did not stray into adjacent land from their property. He sought to clarify that the application in respect of 55 Shandon Park which Mr. Thompson had cited had originally been submitted without a ball stop fence and that subsequent plans had then included a fence. He advised the Committee that it was not clear whether the applicant had volunteered to implement the fence as part of the application but he confirmed that the fence had not been conditioned by officers.

In response to a further Member's question, Mr. Owens advised the Committee that the extant permission had permitted the applicant to clear the site within its original terms and that they were happy to meet with Mr. Thompson and the Committee on site if that was requested but that he did not feel that it should hold up the process.

A Member suggested that the Committee could defer the application to allow the Committee to meet on site with the objectors and the applicant. A further Member stated that it would be senseless to delay the application as there was an extant planning permission in place for the site and that social housing was much needed in that area. He added that the parties could meet to discuss the fence and boundary arrangements after the application had been dealt with.



**Meeting of Planning Committee,  
Tuesday, 15th March, 2022**

The Committee granted approval to the application, with delegated authority given to the Director of Planning and Building Control to grant permission subject to conditions and to enter into a Section 76 Planning Agreement with the applicant to secure the green travel measures.

**LA04/2021/2780/F - Application under section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission LA04/2018/1932/F (residential development comprising units (47 dwellings, 40 apartments, 3 bungalows) and associated access, landscaping and play park) to vary condition 9A (seeking to vary remediation strategy to be implemented) on lands directly to the South of Kilwee Business Park, Upper Dunmurry Lane**

The Committee was advised that the application sought to vary conditions 9 and 10 of planning permission LA04/2018/1932/F in order to amend the required remediation strategy for the site.

Condition 9 had been successfully discharged under LA04/2019/1741/DC on 3rd September 2019. However, under the current variation of condition application, an Updated Remediation Strategy had been submitted for consideration. The Updated Strategy had updated the assessment of the site with respect to ground gas, concluding that special gas protection measures were not required.

Environmental Health had been consulted and had offered no objections to the variation of conditions 9 and 10, having recommended wording in respect of it.

The Committee granted approval to the application, subject to conditions and the satisfactory conclusion of public re-consultation. Delegated authority was given to the Director of Planning and Building Control to finalise the wording of conditions.

Deputy Chairperson

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# Planning Committee

Tuesday, 29th March, 2022

## SPECIAL REMOTE MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);  
Councillors Groogan, Hanvey,  
McMullan and O'Hara.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;  
Mr. K. Sutherland, Planning Manager (Policy);  
Mr. D. O'Kane, Principal Planning Officer;  
Ms. N. Largey, Divisional Solicitor;  
Mrs. S. Steele, Democratic Services Officer; and  
Mrs. L. McLornan, Democratic Services Officer.

### **Apologies**

No apologies for inability to attend were received.

### **Declarations of Interest**

No declarations of interest were recorded.

### **Restricted Item**

**The information contained in the reports associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.**

Resolved – That the Committee agrees to exclude the members of the Press and public from the meeting during discussion of the items as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

### **Local Development Plan (LDP) draft Plan Strategy (dPS) – Update**

The Director of Planning and Building Control reminded the Committee that, at its meeting held on 15th March, it had been provided with an overview of the documentation which had been received from the Department for Infrastructure (DfI) and the proposed work programme to address the requirements of the statutory Direction, which had included detail regarding the potential process for the Council to formally adopt what would be the first draft Plan Strategy to be brought forward under the new system.

She provided a further update in respect of the ongoing engagement with DfI and NI Water and on independent legal advice which had been sought in relation to the proposal for the additional policy developed in response to the DfI formal Direction.

**Special Meeting of Planning Committee,  
Wednesday, 29th March, 2022**

The Members were advised that it was proposed that the Planning Service would continue to engage with both the DfI and NI Water, with the overall approach and work programme being maintained. She reported that a meeting would be held between Council officers and NI Water the following day. She advised that the Council's endorsement of the new policy would be sought at the Council meeting of 4th April, subject to any significant additional issues being identified in discussions with the DfI and NI Water in the interim.

After discussion, the Committee:

1. noted the contents of the correspondence received from the DfI;
2. noted the the update in respect of the ongoing engagement and advice in respect of the approach to the progression of the plan to potential adoption; and
3. agreed to continue in accordance with the programme approved by Committee at its meeting on 15th March, 2022, subject to any additional issues being identified in discussions with the DfI and NI Water in the interim.

Chairperson

## Planning Committee

Wednesday, 30th March, 2022

### PLANNING COMMITTEE SITE VISIT – NOTE OF MEETING

Due to the ongoing pandemic, the following site visits were carried out in accordance with Public Health Agency guidance.

**LA04/2021/2280/F - Mixed use, mixed tenure residential-led development of 778 apartments in three buildings with internal and external amenity space; flexible commercial/community floorspace (convenience store with hot food counter/ a1/a2/d1 uses/cafe/bar/restaurant); public realm including public square and waterfront promenade; cycle and car parking and associated landscaping, access roads, plant and site works including to existing river revetment at lands adjacent to and south east of the river lagan, west of Olympic Way of Queen's Road, Queen's Island**

Members Present:	Councillors Carson (Chairperson), Garrett, Hanvey and Maskey.
Officers in Attendance:	Mr. P. Fitzsimons, Principal Planning officer; and Ms. L. Walshe, Senior Planning officer.
Apologies:	Councillors Groogan and O'Hara.

The Members and the officers convened at the site at 1.30 p.m. for the purpose of undertaking a site visit in respect of the application to allow the Members to acquaint themselves with the location and the proposals at first hand.

They sought clarification on the layout and the tenure of the proposal and viewed the site with the assistance of plans provided by officers.

The visit concluded at 2 p.m.

Chairperson

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# Agenda Item 3

## PLANNING COMMITTEE – 12 APRIL 2022

### APPEALS NOTIFIED

### COUNCIL: BELFAST

ITEM NO 1 PAC REF: 2021/A0231

PLANNING REF: LA04/2021/2017/F

APPLICANT: Cityside Developments Ltd

LOCATION: 72-78A Connsbrook Avenue, Belfast

PROPOSAL: Redevelopment of site to erect 12 No apartments and ancillary/associated works

PROCEDURE:

ITEM NO 2 PAC REF: 2021/A0241

PLANNING REF: LA04/2020/1665/F

APPLICANT: Huxley Group Ltd

LOCATION: Lands NW of apartments, 1-23 Fortwilliam Grange, Fortwilliam Park, Belfast

PROPOSAL: 1 No 4 storey apartment building (12 apartments) with associated landscaping pedestrian access, internal road and car parking areas located within grounds of existing apartment complex

PROCEDURE:

ITEM NO 3 PAC REF: 2021/A0242

PLANNING REF: LA04/2020/0493/F

APPLICANT: Mr Lawrence Bannon

LOCATION: 23 Glandore Avenue and 2 Glanworth Gardens, Belfast

PROPOSAL: Alteration and extension of existing building to provide 4 No 1-bed apartments – existing apartments replaced (amended description)

PROCEDURE:

## PLANNING COMMITTEE – 12 APRIL 2022

### APPEALS NOTIFIED (CONTINUED)

ITEM NO 4 PAC REF: 2021/A0248

PLANNING REF: LA04/2021/1280/F

APPLICANT: RMA Belfast Ltd

LOCATION: 32-36 University Road, Belfast, BT7 1NH

PROPOSAL: Proposed mixed-use development comprising alterations, rear extension and new shopfront to provide a modernised ground floor retail space and change of use from office to 9 No apartments on upper floor, with separate access to University Road

PROCEDURE:

## PLANNING COMMITTEE – 12 APRIL 2022

### APPEAL DECISIONS NOTIFIED

ITEM NO 1 PAC REF: 2020/A0122

PLANNING REF: LA04/2019/1473/F

RESULT OF APPEAL: DISMISSED

APPLICANT: Mr Ian McCulla

LOCATION: Lands between 2 and 12 Parkgate Avenue and opposite 19A Madison Avenue, East Belfast

PROPOSAL: Erection of 5 storey mixed use building consisting of ground floor retail unit and 40 No apartments (comprising of 16 No 1 bed 20 No 2 bed 4 No 3 bed) and rooftop amenity space. Covered car parking, cycle parking and bin stores provided at ground floor level to serve apartments. Vehicular and pedestrian access for apartments provided at Parkgate Avenue and pedestrian access for retail unit provided on Madison Avenue East. Includes demolition of existing vacant retail unit fronting Madison Avenue East.





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## Decisions issued between 5 March and 1 April 2022 - No 161

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2020/0530/F	LOCDEV	Upper Malone Road approx. 40m South-West of the junction with Malone View Park Belfast BT9 6UF.	The installation of a 20metre Apollo streetpole with 6No. antennas, 2No. equipment cabinets, and 1No. meter.	PERMISSION GRANTED
LA04/2020/1211/F	MAJDEV	No 46 Montgomery Road (former Hughes Christensen site) vacant between nos 44 and 46 Montgomery Road and no 41 Montgomery Road (Lidl) Belfast.	Mixed use regeneration scheme involving: demolition of vacant buildings Hughes Christensen site; erection of 8No. Class B2 (light industrial) and Class B4 (storage/distribution) unit; extension to, and subdivision of, existing supermarket building to form 4no. Class B4 units (existing retail use to be discontinued); erection of replacement supermarket; provision of new accesses from Montgomery Road and Castlereagh Road; road improvements; car parking, landscaping and associated site works. (Lynas Food Outlet building to be retained).	PERMISSION GRANTED
LA04/2020/2457/F	LOCDEV	5-11 Hollywood Road Belfast.	Demolition of existing commercial unit. Replacement with 4no. storey building with new ground floor (Class A2) commercial unit and 12 no. apartments along with associated development	PERMISSION REFUSED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0117/F	MAJDEV	Site to be enhanced includes Milltown row adopted roads well as lands owned and/or managed by Ulster wildlife and known as the Bog Meadows site. Site is bounded by the M1 to the east Milltown Cemetery to the south St. Louise's Comprehensive College to the north south of nos 11 to 79 St. Katherine's Road east of Rodney Parade and adjacent to nos. 506 and 508 Donegall Road.	Upgrade of existing access, footways and cycle path through existing Bog Meadows Nature Site (Section 4 Forthmeadow Community Greenway) including lighting columns, enhanced entrances and street furniture	PERMISSION GRANTED
LA04/2021/0176/LDE	LOCDEV	31 Hughenden Avenue Belfast BT15 5DB.	Domestic garage Nature and scale of use (using garage as a work from home hair salon) constitutes home working - Annex 1 PPS4.	PERMITTED DEVELOPMENT
LA04/2021/0179/F	LOCDEV	Lands 25m SW of 2 Glenmachan Avenue Belfast BT4 2RG	Change of house type with associated hard and soft landscaping to previously approved LA04/2016/2462/F	PERMISSION GRANTED
LA04/2021/0264/F	LOCDEV	475-487 Crumlin Road Belfast BT14 7FL	Demolition of existing public house and erection of 7 No. dwellings (social housing)	PERMISSION GRANTED
LA04/2021/0503/F	LOCDEV	367 Antrim Road Belfast BT15 3BG	Retrospective change of use from opticians to studio/ gym with ancillary multi-functional treatment and changing facilities	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0584/F	LOCDEV	St Mary's Christian Brothers Grammar School 147A Glen Road Belfast BT11 8NR	Proposed erection of 5.0m Hurling Wall, 4No. associated 12m high floodlights and 3.0m perimeter fence	PERMISSION GRANTED
LA04/2021/0585/DC	LOCDEV	KINGS'S HALL & RUAS SITE SOUTH OF UPPER LISBURN ROAD/BALMORAL AVENUE WEST OF HARBERTON PARK AND NORTH EAST OF BALMORAL GOLF CLUB	Discharge of condition no 20 of planning approvals LA04/2018/0040/f & LA04/2020/0747/f	CONDITION DISCHARGED
LA04/2021/0607/F	LOCDEV	153 Albertbridge Road Belfast BT5 4NZ.	Change of use from commercial building to 3 No. apartments including alterations and refurbishments to existing building.	PERMISSION GRANTED
LA04/2021/0620/F	LOCDEV	8 Newington Street Belfast.	Change of use from a dwelling house to 1 No. two bedroom apartment, 2 no. 1 bedroom apartments and erection of 2 storey rear extension and 3rd floor extension on top of existing rear return.	PERMISSION GRANTED
LA04/2021/0690/F	LOCDEV	St Mark's Nursery Unit Gardenmore Road Belfast BT17 0DF	Demolition of St Marks Nursery Unit and construction of 15no Social housing units (9 dwellings and 6 apartments) together with associated landscaping and site works	PERMISSION GRANTED
LA04/2021/0779/F	LOCDEV	22 Lawrence Street Belfast BT9	Proposed 3 storey extension to the rear and alterations to 3no. apartments.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/0849/F	LOCDEV	151 Stranmillis Road Malone Lower Belfast BT9 5AT	Retail, for the sale of coffee and food for consumption mainly off the premises, and change of use of offices on upper floors to 1 no apartment Retail, for the sale of coffee and food for consumption mainly off the premises, and change of use of offices on upper floors to 1 no apartment Retail, for the sale of coffee and food for consumption mainly off the premises, and change of use of offices on upper floors to 1 no apartment Retail, for the sale of coffee and food for consumption mainly off the premises, and change of use of offices on upper floors to 1 no apartment Retail, for the sale of coffee and food for consumption mainly off the premises, and change of use of offices on upper floors to one apartment	PERMISSION GRANTED
LA04/2021/0910/O	LOCDEV	Adjacent and south west of 1 Silverstream Road Oldpark Belfast BT14 8Gb	Erection of a single dwelling house	PERMISSION GRANTED
LA04/2021/0911/F	LOCDEV	236 Upper Newtownards Road Belfast BT43EU	Demolition of existing building and construction of 9 no. apartments and associated site works (amended plans relating to access)	PERMISSION GRANTED
LA04/2021/1022/O	LOCDEV	916-918 Shore Road BT36 7DJ	Demolish existing building and replace with new single storey retail unit with associated parking (Amended Description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/1242/F	LOCDEV	28 Bradbury Place Belfast BT7 1RQ	Proposed change of use from coffee shop to extension of amusements arcade on the ground floor	PERMISSION GRANTED
LA04/2021/1387/LDE	LOCDEV	6 Westminster Street Belfast BT7 1LA	House in multiple occupation HMO	PERMITTED DEVELOPMENT
LA04/2021/1419/LDE	LOCDEV	10 Shaftsbury Avenue Belfast BT7 2ES.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/1446/F	LOCDEV	Unit 5 Europa Business Park Springbank Industrial Estate Belfast BT17 0FE	Application for a change of use to a non-hazardous and hazardous waste materials recovery facility and waste transfer station	PERMISSION GRANTED
LA04/2021/1458/DCA	LOCDEV	Knock Presbyterian Church 53 Kings Road Belfast BT5 6JH	Demolition of existing church halls; to include Crush Hall, Bell Hall, Elliot Hall and kitchen. Demolition of garage.	PERMISSION GRANTED
LA04/2021/1522/LDP	LOCDEV	4 Clonallon Park Belfast BT4 2BZ.	Single storey building in rear garden with snooker room, wc and store, existing building shed to be removed.	PERMITTED DEVELOPMENT
LA04/2021/1590/F	LOCDEV	Knock Presbyterian Church 53 Kings Road Belfast BT5 6JH	Demolition of existing church Halls (crush Hall, Ben Hall, Elliot Hall, and Kitchen and Garage) extension of church building to provide new halls and meeting rooms: re-configuration of parking areas and refurbishment to and extension of the 'Kairos' Centre and associated/ancillary works	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/1597/F	LOCDEV	Colaiste Feirste 7 Beechview Park Belfast BT12 7PY.	1no. 2 storey building and 1no. single storey building to provide additional classrooms; & provision of additional access road to allow car parking and delivery access to new buildings.	PERMISSION GRANTED
LA04/2021/1714/F	LOCDEV	6-16 Duncrue Crescent Belfast BT3 9BW.	Change of use and extension of existing warehouse from waste management facility to Class B4 storage and distribution warehouse.	PERMISSION GRANTED
LA04/2021/1740/F	LOCDEV	37 Lucerne Parade Belfast. BT9 5FT	Proposed single storey extension to front of dwelling (amended plans)	PERMISSION GRANTED
LA04/2021/1799/F	LOCDEV	113 Circular Road Belfast BT4 2GD	3 storey side extension (north side), single storey front extension, patio area to side and rear.	PERMISSION GRANTED
LA04/2021/1821/F	LOCDEV	112 Castlereagh Road Belfast BT5 5FR.	Change of use of ground floor veterinary practice to 1-bed apartment.	PERMISSION GRANTED
LA04/2021/1970/LDP	LOCDEV	1 Camlough Place Belfast BT6 9NZ.	Renewal of Roof Covering. Upgrading of Roof Insulation. Renewal of Windows. Provision of External Wall Insulation to a no-fines Concrete Dwelling and Associated Modifications of Drainage, Paths and Fencing.	PERMITTED DEVELOPMENT
LA04/2021/2057/LDP	LOCDEV	71-75 Percy Street Belfast BT13 2HW.	Demolition of 1 existing industrial building, proposed 5 storey extension and installation of 26 freestanding stilos.	PERMITTED DEVELOPMENT



Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2059/F	LOCDEV	Unit 3 Restaurant Block Holywood Exchange 306 Airport Road West Belfast BT3 9EJ.	Proposed Class A1 Retail Unit (Constructed Under Z/2008/0683/F Approved Restaurant Unit).	PERMISSION GRANTED
LA04/2021/2077/LDE	LOCDEV	42 Sandymount Street Belfast BT9 5DP.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/2087/F	LOCDEV	25 Slemish Way Belfast	Single storey rear extension	PERMISSION GRANTED
LA04/2021/2090/F	LOCDEV	14 Joanmount Park Belfast BT14 6PE	Demolition of existing garage and conservatory to provide a two storey side and rear extension. Paved area to rear. (Amended Description)	PERMISSION GRANTED
LA04/2021/2119/F	LOCDEV	189-191 Ormeau Road & 2-24 Agincourt Avenue Belfast BT7 1SQ.	Demolition of existing buildings.	PERMISSION GRANTED
LA04/2021/2132/F	LOCDEV	Lands at Riddel Hall 185 Stranmillis Road Belfast BT9 5EE.	New substation/switchroom, generator and oil tank and associated/ancillary works.	PERMISSION GRANTED
LA04/2021/2154/F	MAJDEV	Lands at and surrounding the former St Gemma's High School 40 Ardoyne Avenue Belfast. BT14 7DA	Change of approved design for Community Hub building included within the extant planning permission ref: LA04/2018/1832/F (dated 21.02.20) for a community led mix use regeneration scheme at the site of the former St Gemma's School. N.Belfast.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2242/F	MAJDEV	Lands bounded by Little Victoria Street Bruce Street and Holmes Street Belfast	Erection of new 15no storey purpose built student accommodation building and associated development (amended scheme from that previously approved under application reference LA04/2018/2602/f)	PERMISSION GRANTED
LA04/2021/2263/F	LOCDEV	Land to the north of St Mary's RC Church between 66 and 74 Berry Street Belfast BT1 1FJ	Restoration of former vehicular access/footpath crossing, modifications to existing entrance including new sliding gate and provision of new staff car parking area	PERMISSION GRANTED
LA04/2021/2284/O	LOCDEV	30m East of 191 Ballyhill Road Belfast	Renewal of existing approval (reference LA04/2018/0722/O) for site for dwelling and garage	PERMISSION GRANTED
LA04/2021/2290/F	LOCDEV	9A Windsor Close Belfast BT9 6FG	Replacement doors & windows to existing ground floor apartment, including proposed change to oriel window in gable and alterations to other existing openings.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2299/F	MAJDEV	Unit's 34 61 & Mall 01-K9 Castlecourt Shopping Centre Royal Avenue Belfast BT1 1DD	Change of use relating to part of unit 34 ground floor area from (class a1) retail unit to (sui generis) coffee shop with provision of external seating area; change of use (including re-configuration of internal stair/lifts, ancillary spaces and all associated works) of first and second floor levels of unit 34 and existing first floor level of unit 61 (class a1) and mall 01-k9 to (sui generis) family entertainment centre to include, crazy golf; lazer quest; indoor caving; escape rooms; bumper cars; virtual reality arcade; restaurants & bars and outdoor terrace at second floor; and (class d2) cinema with bar.	PERMISSION GRANTED
LA04/2021/2302/F	LOCDEV	37 Glencreagh Drive Ballymaconaghy Belfast BT6 0NJ.	Proposed new access to rear of dwelling with dropped kerb, proposed boundary wall, fence and hedging to front and side elevations, 2 no. rooflights to front, extension of existing rear dormer, pedestrian gate to side and front elevation and smooth render finish to existing house. (AMENDED PLANS)	PERMISSION GRANTED
LA04/2021/2352/A	LOCDEV	Site 1-7 (formally) Cliftonpark Avenue Belfast BT14 6AD	Proposed shop front and gable signage, window graphics, canopy perimeter cladding, directional signage, fuel grade signage, entrance signage (amended description).	PERMISSION GRANTED
LA04/2021/2369/F	LOCDEV	51 Rosscoble Park Belfast BT14 8JW.	First floor rear extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2432/F	LOCDEV	Carn House 20 Corry Place Cross Street Belfast BT3 9HY	The proposed development is an upgrade to the heating system within the boiler room of the existing office block with the proposed installation of an extract flue to the external wall of the building.	PERMISSION GRANTED
LA04/2021/2444/NMC	LOCDEV	35 Hawthornden Road Belfast BT4 3JW	NMC to planning approval LA04/2020/2217/F	NON MATERIAL CHANGE REFUSED
LA04/2021/2489/F	LOCDEV	24 Glenwood Street Belfast BT13 3WT.	In-curtilage development consisting of (a) timber garden shed (retrospective permission sought), (b) proposed timber garden furniture consisting of a combination climbing/play frame, and (c) proposed additional fencing to top of existing brick boundary wall.	PERMISSION GRANTED
LA04/2021/2501/F	LOCDEV	1 Knockmount Park Belfast BT5 6GR.	Widening of existing driveway, replacement of existing boundary wall and fence with new wall and fence.	PERMISSION GRANTED
LA04/2021/2512/LDP	LOCDEV	Precision Liquids Ltd 29 Dufferin Road Belfast BT3 9AA	Proposed removal of existing plant (storage tank) and replacement with "like for like" tank.	PERMITTED DEVELOPMENT
LA04/2021/2533/F	LOCDEV	27 Glenhead Avenue Dunmurry BT17 9AX.	Demolition of detached garage & erection of single storey rear extension and raised patio areas to rear. Front garden revised with dropped kerb to provide in-curtilage parking. New 1.8m fencing and gates to side and rear and entrance door relocated. (amended plans and description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2538/F	LOCDEV	Bunscoil Phobal Feirste Primary School 11 Rosgoill Park Belfast BT11 9QS.	Single storey classroom extension to an existing school including a small group room, an M&E store, a disabled toilet, two Multi-purpose room.	PERMISSION GRANTED
LA04/2021/2541/F	LOCDEV	125 Circular Road Belfast BT4 2GE.	Single storey side extension and internal alterations to existing dwelling.	PERMISSION GRANTED
LA04/2021/2554/NMC	LOCDEV	15 Ravenhill Park Belfast BT6 0DE	Non Material change to planning approval LA04/2019/2802/F	NON MATERIAL CHANGE GRANTED
LA04/2021/2575/F	LOCDEV	Colin Valley FC Good Shepherd Road Dunmurry BT17 0PJ.	Erection of spectators stand, (with 202 seats, 2 wheelchair spaces with associated access facilities).	PERMISSION GRANTED
LA04/2021/2576/F	LOCDEV	26 Thorndyke Street Belfast BT5 4QB	Change of Use from Residential Dwelling to 5 Bedroom HMO	PERMISSION GRANTED
LA04/2021/2583/DC	LOCDEV	Wilton House 5-6 College Square North Belfast.	Discharge of condition 10 LA04/2018/2097/F - (materials)	CONDITION DISCHARGED
LA04/2021/2595/F	LOCDEV	47A Derryvolgie Avenue Belfast BT9 6FP.	Two storey rear and side extension with chimney stack. Single storey extension to front with canopy and front dormer. Single storey rear extension and external alterations.	PERMISSION GRANTED
LA04/2021/2596/DCA	LOCDEV	47A Derryvolgie Avenue Belfast BT9 6FP.	Demolition of existing single storey side extension and partial demolition of walls/ roof to facilitate extensions.	PERMISSION GRANTED
LA04/2021/2604/F	LOCDEV	15 Stirling Avenue Belfast BT6 9LQ.	Single storey rear extension.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2608/F	LOCDEV	22 Upper Malone Road Belfast BT9 5NA.	New single storey garage/ utility extension to the side of dwelling, First floor rear extension and external alterations.	PERMISSION GRANTED
LA04/2021/2622/F	LOCDEV	Adj. to School of Dentistry Building Royal Victoria Hospital Grosvenor Road Belfast BT12 6BA.	Removal of existing mobility unit and erection of 1 no. new shop mobility unit.	PERMISSION GRANTED
LA04/2021/2627/LDE	LOCDEV	114 University Avenue Belfast BT7 1GZ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2021/2634/DC	LOCDEV	Avoniel Leisure Centre Avoniel Road Belfast BT5 4SF.	Discharge of conditions 8 & 10 LA04/2019/2971/F relating to Construction Environmental Management Plan	CONDITION NOT DISCHARGED
LA04/2021/2637/A	LOCDEV	Green Lane 27c Annadale Avenue Belfast BT7 3JJ.	Standard estate agents sign at entrance to Annadale Avenue	PERMISSION GRANTED
LA04/2021/2652/A	LOCDEV	19-35 Grosvenor Road Belfast BT12 4GR.	3.96 x 7.22m Multi-lingual car park information screen providing static messages changeable after a minimum of 10 seconds	PERMISSION REFUSED
LA04/2021/2657/NMC	LOCDEV	8 Clonlee Drive Belfast BT4 3DA.	Non material change LA04/2021/0550/F.	NON MATERIAL CHANGE REFUSED
LA04/2021/2658/F	LOCDEV	2 Orchard Close Belfast BT5 6PW.	Demolition of garage and construction of 2 storey rear extension and garage.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2682/A	LOCDEV	23-25 Gordon Street Belfast BT1 2LG.	Two external signs (amended description)	PERMISSION GRANTED
LA04/2021/2691/F	LOCDEV	5-23 Hill Street Belfast BT1 2LA	Change of use from office to dining rooms and storage	PERMISSION GRANTED
LA04/2021/2692/LBC	LOCDEV	5-23 Hill Street Belfast BT1 2LA	Removal of 2 areas of stud partitioning to create private dining rooms	PERMISSION GRANTED
LA04/2021/2715/F	LOCDEV	2 Downview Park Belfast BT15 5HY.	Single storey rear extension, conversion of garage to bedroom plus garden store.	PERMISSION GRANTED
LA04/2021/2717/F	LOCDEV	11 Loughview Manor Belfast BT14 8QS.	Roofspace conversion to existing dwelling with attic flat roof dormer to allow first floor En-suite bedroom. (AMENDED PLANS)	PERMISSION GRANTED
LA04/2021/2719/F	LOCDEV	55 Rosepark Ballymiscaw Belfast BT5 7RH.	Proposed rear kitchen and dining room extension with first floor bedroom and ensuite over and removal of existing glass conservatory and raised decking to be reinstated.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2780/F	MAJDEV	Lands directly to the South of Kilwee Business Park Upper Dunmurry Lane Dunmurry Belfast BT17 0HD.	Application under Section 54 of the Planning Act (Northern Ireland) 2011 in respect to planning permission LA04/2018/1932/F (residential development comprising 90 no units (47 dwellings, 40 apartments, 3 bungalows) and associated access, parking, landscaping and play park) to vary Condition 9 and Condition 10 (seeking to vary the remediation strategy to be implemented).[amended description].	PERMISSION GRANTED
LA04/2021/2790/LDE	LOCDEV	25 Chlorine Gardens (6 Rose Terrace) Belfast BT9 5DL.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/2792/F	LOCDEV	20a Viewfort Park Dunmurry Belfast BT17 9JY.	Single and two storey extension to side and rear of dwelling with external changes.	PERMISSION GRANTED
LA04/2021/2816/F	LOCDEV	10 Roddens Gardens Belfast BT5 7JJ.	Single storey rear extension with extended patio.	PERMISSION GRANTED
LA04/2021/2819/F	LOCDEV	68 Sydenham Avenue Belfast BT4 7DS.	Single and two storey rear extension with patio and external changes.	PERMISSION GRANTED
LA04/2021/2820/F	LOCDEV	332 Cregagh Road Belfast BT6 9EX.	Single storey extension to front of dwelling/attached store to accommodate larger entrance hall and office.	PERMISSION GRANTED
LA04/2021/2844/F	LOCDEV	9 Tweskard Park Belfast BT4 2JY.	Two storey side extension, single storey rear and side extension with extended raised patio. New porch and elevational changes.	PERMISSION GRANTED



Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2021/2849/DCA	LOCDEV	32-36 University Road Belfast BT7 1NH.	Partial demolition works to front and rear elevations, partial demolition of the existing roof and minor internal demolition works.	PERMISSION REFUSED
LA04/2021/2854/F	LOCDEV	2 Coolnasilla Park West Belfast BT11 8JT.	Garage conversion to habitable space.	PERMISSION GRANTED
LA04/2021/2855/F	LOCDEV	11 Orpen Drive Belfast BT10 0BT.	Single storey side and rear extension.	PERMISSION GRANTED
LA04/2021/2859/F	LOCDEV	197 Orby Drive Belfast BT5 6BD	Single storey extension to dwelling to allow kitchen, dining and utility.	PERMISSION GRANTED
LA04/2021/2874/NMC	LOCDEV	37 Lansdowne Road Belfast BT15 5AA	Non Material change re LA04/2020/2148/F	NON MATERIAL CHANGE REFUSED
LA04/2021/2876/A	LOCDEV	100-102 Great Patrick Street Belfast BT1 2NX	Cutout lettering signage with projecting painted metal surround to entrance door and adjacent curtain wall window of extension. Access control panel with letterbox and tenant name signs adjacent to door/amb.	PERMISSION GRANTED
LA04/2021/2885/LDE	LOCDEV	97 Rugby Avenue Belfast BT7 1GZ	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2021/2892/LDE	LOCDEV	Flat 2 30 Wellesley Avenue Belfast	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0012/F	LOCDEV	7 Shrewsbury Gardens Belfast BT9 6PJ	Two storey rear extension	PERMISSION GRANTED
LA04/2022/0013/F	LOCDEV	28 Denorrrton Park Belfast BT4 1SF	Single storey extension to rear to replace existing conservatory	PERMISSION GRANTED
LA04/2022/0015/F	LOCDEV	55 The Straight Belfast BT6 0EQ	Single storey extension to rear of dwelling.	PERMISSION GRANTED
LA04/2022/0018/F	LOCDEV	2 Lake Glen Close Belfast BT11 8TJ	Proposed new single storey rear extension with roof overhang to side. New windows to side elevation at kitchen.	PERMISSION GRANTED
LA04/2022/0022/F	LOCDEV	38 Pommern Parade Belfast BT6 9FY	Single storey living room/kitchen and store extension to rear and side of existing dwelling.	PERMISSION GRANTED
LA04/2022/0024/F	LOCDEV	18 Hillside Crescent Malone Lower Belfast BT9 8EN	Proposed alterations to convert existing garage to habitable space with single storey side extension and associated external works.	PERMISSION GRANTED
LA04/2022/0025/F	LOCDEV	34 Lyndhurst Parade Belfast BT13 3PB	Dormer to rear elevation with change of roof type from hipped to pitch to facilitate loft conversion.	PERMISSION GRANTED
LA04/2022/0026/F	LOCDEV	62 Maryville Park Belfast BT9 6LQ	Proposed second floor upgrade with a dormer window to the rear elevation and conservation rooflights to the front and side elevations. Extension of porch roof to front elevation.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0027/F	LOCDEV	63 Greystown Avenue Belfast BT9 6HU	Single storey side and rear extension, roofspace conversion with rear dormer.	PERMISSION GRANTED
LA04/2022/0048/F	LOCDEV	28 Upper Malone Park Belfast BT9 6PP	Single storey front extension	PERMISSION GRANTED
LA04/2022/0056/LDE	LOCDEV	Flat 3 17 Cromwell Road Belfast BT7 1JW	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0062/LDE	LOCDEV	Flat 2 (first & second floor) 16 Camden Street Belfast BT9 6AT	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0064/F	LOCDEV	17 Upper Green Dunmurry Belfast BT17 0EL	Single storey extension to rear of existing dwelling.	PERMISSION GRANTED
LA04/2022/0080/LDE	LOCDEV	90 Andersonstown Park West Belfast BT11 8FP.	Existing use of a Toddler Group.	PERMITTED DEVELOPMENT
LA04/2022/0083/F	LOCDEV	81 Sharman Road Stranmillis Belfast BT9 5HE.	Single storey side and rear extension.	PERMISSION GRANTED
LA04/2022/0084/LDE	LOCDEV	Flat 1 (Ground Floor) 23 India Street Belfast BT7 1LJ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0085/LDE	LOCDEV	Flat 1 (Ground Floor) 31 India Street Belfast BT7 1LJ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0092/DC	LOCDEV	Templemore Baths Templemore Avenue Belfast BT5 4FW	Discharge of condition 3 - LA04/2018/2611/LBC	CONDITION DISCHARGED
LA04/2022/0107/F	LOCDEV	26 Glengoland Gardens Belfast BT17 0JE	Single storey extension to rear of dwelling with projecting bay window and canopy roof to front elevation. Conversion of existing garage to games room / home gym with associated external alterations. External changes including rendering to dwelling and fenestration changes.	PERMISSION GRANTED
LA04/2022/0108/F	LOCDEV	Oak House 30A Dub Lane Malone Upper Belfast BT9 5NB	Proposed single storey ground floor rear kitchen extension to existing dwelling with covered patio area including associated hard and landscaping works.	PERMISSION GRANTED
LA04/2022/0115/F	LOCDEV	15 Mount Merrion Avenue Belfast BT6 0FH	Single storey extension to rear with a single storey lean to annex/shed to the side. Proposed wall between no.13 and no.15	PERMISSION GRANTED
LA04/2022/0121/DC	LOCDEV	60a Hatton Drive Belfast BT6 9BD.	Discharge of condition 5 LA04/2019/2311/F.	CONDITION DISCHARGED
LA04/2022/0134/F	LOCDEV	77 Upper Newtownards Road Belfast BT4 3HU.	Change of Use of dwelling to House in Multiple Occupation (Retrospective).	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0143/LDE	LOCDEV	3 Landseer Street Belfast BT9 5AL.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0150/F	LOCDEV	155 Belmont Church Road Belfast BT4 2DA.	Single storey rear/side extension to dwelling to allow kitchen/living area on ground floor.	PERMISSION GRANTED
LA04/2022/0151/F	LOCDEV	199 Ravenhill Road Belfast BT6.	Single storey rear extension with ramp to side.	PERMISSION GRANTED
LA04/2022/0158/F	LOCDEV	38 Ormiston Crescent Belfast BT4 3JQ.	Single and two storey rear and side extension with part demolition of existing garage.	PERMISSION GRANTED
LA04/2022/0184/DCA	LOCDEV	9A Windsor Close Belfast BT9 6FG.	Replacement doors & windows to existing ground floor apartment, including proposed change to oriel window in gable and alterations to other existing openings.	PERMISSION GRANTED
LA04/2022/0186/F	LOCDEV	74 Gortin Park Belfast BT5 7EQ.	Proposed alterations to front elevation to include removal of bow window, incorporation of new raised rendered plinth and raised window surrounds further to receipt of planning approval LA04/2021/0567/F.	PERMISSION GRANTED
LA04/2022/0188/F	LOCDEV	91 Upper Malone Road Belfast BT9 6UF	First floor extension to front of dwelling and Removal of Existing Conservatory at the Rear of Property and Construction of New Dining Area with roof overhang. Patio area to side. (amended description)	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0190/DCA	LOCDEV	62 Maryville Park Belfast BT9 6LQ.	Removal of parts of roof to facilitate the installation of a dormer window to the rear elevation, part of side porch roof, and conservation rooflights to the front and side elevations.	PERMISSION GRANTED
LA04/2022/0195/F	LOCDEV	93 Cedar Grove Holywood BT18 9QG.	Detached single storey garage to rear of existing dwelling.	PERMISSION GRANTED
LA04/2022/0196/LDE	LOCDEV	Flat 1 (Ground Floor) 6 India Street Belfast BT7 1LJ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0210/F	LOCDEV	11 Glandore Drive Belfast BT15 3FG.	Single storey side extension.	PERMISSION GRANTED
LA04/2022/0215/LDE	LOCDEV	Flat 1 24 India Street Belfast BT7 1LJ.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0216/LDE	LOCDEV	Flat 2 24 India Street Belfast BT7 1LJ.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0217/LDE	LOCDEV	Flat 3 24 India Street Belfast BT7 1LJ.	House in Multiple Occupancy (HMO)	PERMITTED DEVELOPMENT
LA04/2022/0225/F	LOCDEV	15 Coolnasilla Park South Belfast BT11 8LF	Two storey rear infill extension. Extended bedroom and en-suite at first floor and kitchen/dining extension to ground floor.	PERMISSION GRANTED
LA04/2022/0235/LDE	LOCDEV	167 Dunluce Avenue Belfast	House in multiple occupancy (HMO)	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0241/F	LOCDEV	21 Ardvarna Park Belfast BT4 2GH	Single storey rear extension	PERMISSION GRANTED
LA04/2022/0243/F	LOCDEV	14 Kilwarlin Walk Belfast BT8 7EQ.	Single storey extension to side of property.	PERMISSION GRANTED
LA04/2022/0252/CONTPO	LOCDEV	78 Balmoral Avenue Belfast BT9 6NY.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED
LA04/2022/0255/DC	LOCDEV	11-13 College Square East Belfast BT1 6DD.	Discharge of condition 3 LA04/2019/1111/F.	CONDITION DISCHARGED
LA04/2022/0261/CONTPO	LOCDEV	Apartment 2 Deramore Manor1A Deramore Park South Belfast BT9 5JY.	Works to 2 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0263/LDE	LOCDEV	22 India Street Belfast BT7 1LJ.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0266/F	LOCDEV	29 Haddington Gardens Belfast.	Single story rear extension.	PERMISSION GRANTED
LA04/2022/0267/F	LOCDEV	37 Glencreagh Drive Ballymaconaghy Belfast BT6 0NJ.	Amendment to planning application LA04/2021/2302/F for a single storey side and rear extension.	PERMISSION GRANTED
LA04/2022/0268/LDE	LOCDEV	Flat 2 27 Wellesley Avenue Belfast BT9 6DG.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0269/LDE	LOCDEV	Flat 3 27 Wellesley Avenue Belfast BT9 6DG.	House in Multiple Occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0279/DC	LOCDEV	454-458 Donegall Road Belfast BT12 6HS.	Discharge of condition 5 LA04/2017/2472/F.	CONDITION DISCHARGED
LA04/2022/0287/DC	LOCDEV	Shane Retail Park Boucher Road Belfast BT12.	Discharge of condition 2 LA04/2016/2489/F.	CONDITION DISCHARGED
LA04/2022/0292/F	LOCDEV	10 Mount Vernon Gardens Belfast BT15 4BQ.	Single storey extension to rear of property.	PERMISSION GRANTED
LA04/2022/0297/CONTPO	LOCDEV	6 cyprus avenue Belfast Antrim BT5 5NT.	Works to 3 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0303/F	LOCDEV	14 Lisburn Avenue Belfast BT9 7FX.	Demolition of single storey rear return & construction of single storey rear extension with decking area and roof overhang to rear. Dormer to rear.	PERMISSION GRANTED
LA04/2022/0313/CONTPO	LOCDEV	32 Knockdene Park South Belfast BT5 7AB.	Works to 7 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0314/CONTPO	LOCDEV	25 Newforge Lane Belfast BT9 5NU.	Works to 10 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0321/F	LOCDEV	40 Hawthorn Glen Hannahstown Belfast BT17 0NU.	Two storey rear extension with additional ground and first floor gable window. Hard standing to front garden area. Elevational changes.	PERMISSION GRANTED



Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0322/LDE	LOCDEV	Flat 1 2 Eglantine Gardens Belfast BT9 6EZ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0323/LDE	LOCDEV	Flat 3 2 Eglantine Gardens Belfast BT9 6EZ.	House in multiple occupancy (HMO).	PERMITTED DEVELOPMENT
LA04/2022/0328/CONTPO	LOCDEV	41 Kirkliston Drive Belfast BT5 5NX.	Works to 3 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0329/CONTPO	LOCDEV	3 Deramore Park South Belfast BT9 5JY.	Works to 10 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0330/CONTPO	LOCDEV	Cleaver Court Belfast BT9 5LX.	Works to 9 Trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0334/F	LOCDEV	70 Rushfield Avenue Belfast BT7 3FR	single storey extension to rear of dwelling, replacing existing extension.	PERMISSION GRANTED
LA04/2022/0339/CONTPO	LOCDEV	35 Cyprus Avenue Belfast BT5 5NT.	Works to 3 trees.	WORKS TO TREES IN CA - AGREED
LA04/2022/0341/F	LOCDEV	48 Haddington Gardens Belfast BT6 0AN.	single storey extension and associated site works.	PERMISSION GRANTED

Reference Number	Hierarchy	Location	Proposal	Application Status
LA04/2022/0344/F	LOCDEV	31 Upper Green Dunmurry Belfast BT17 0EL	Single-storey extension to rear / side with porch and external flue	PERMISSION GRANTED
LA04/2022/0353/F	LOCDEV	22 Glengoland Park Belfast BT17 0JD.	Removal of existing garage and the construction of a single storey side and rear extension.	PERMISSION GRANTED
LA04/2022/0399/DC	LOCDEV	12 Parkgate Avenue and lands adjacent to and North East of The Arches Centre North of no.2 Parkgate Avenue and adjacent to and South West of the Connswater River.	Discharge of condition 11 LA04/2020/1377/F.	CONDITION DISCHARGED
LA04/2022/0416/F	LOCDEV	52 Nansen Street Belfast. BT12 6AT	Proposed 2 storey rear extension to rear of dwelling.	PERMISSION GRANTED
LA04/2022/0470/CONTPO	LOCDEV	4 Fortwilliam Gardens Belfast BT15 4BS.	Works to 1 tree.	WORKS TO TREES IN CA - AGREED

## Development Management Addendum Report

<b>Summary</b>	
<b>Application ID:</b> LA04/2021/0720/F	<b>Date of Committee:</b> 12 April 2022
<b>Proposal:</b> Subdivision of existing dwelling into two apartments with two storey rear extension	<b>Location:</b> 64 Ashley Avenue Malone Lower Belfast BT9 7BU
<b>Referral Route:</b> Referral to the Planning Committee - objection from statutory consultee	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> Mr & Mrs McRoberts 4c Haddockstown Road Ballinderry Lisburn BT28 2LP	<b>Agent Name and Address:</b> William Shannon Architect Studio 27 Middle Road Saintfield BT24 7LP
<b>ADDENDUM REPORT</b>	
<p>The full application was previously listed for Planning Committee on 15<sup>th</sup> March 2022. The application was presented to committee due to an objection from Northern Ireland Water. Members raised the issue of potential prematurity in relation to the draft LDP Strategy and deferred the application for further information to be provided with figures of existing HMOs and flats within surrounding area in light of</p> <p>Members should read this Addendum Report in conjunction with the original full planning report</p> <p>The Local Development Plan Team were consulted and provided the following figures and information:</p> <p>Within the draft Plan Strategy, Policy HOU10 states that planning permission should only be granted for HMOs and/or flats/apartments where the total number of HMOs and flats/apartments combined would not as a result exceed 20% of all dwelling units within a Housing Management Area (HMA).</p> <p>The data shows that there are 708 HMOs/flats/apartments and 1,171 domestic properties, so the percentage of HMOs and flats/apartments combined within the area is 60%.</p> <p>The justification and amplification text for Policy HOU10 in the draft Plan Strategy states that “In advance of the Local Policies Plan, these policies will be applied to the HMO policy areas outlined within designation HMO2 of the HMOs subject plan for Belfast City Council area 2015.”</p> <p>Therefore, in advance of the Local Policies Plan being drafted, the Plan Strategy at the point of adoption would require that the provision of Policy HOU10 be applied to the existing Policy Areas as designated in the HMOs Subject Plan - in this case Ulsterville HMO Policy Area (HMO 2/21).</p> <p>The latest available data shows that there are 529 HMO Units in the Policy Area and 1,171 domestic properties, so the percentage of HMOs in the Policy Area is 45%. As the application is not for HMO units policies contained within the Belfast HMO Subject Plan 2015 do not apply.</p>	

The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 of the SPPS states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.

The application is compliant with current policies set out in the SPPS and PPS7 Quality Residential Environments and the Addendum to PPS7 PPS 7 (Addendum): Safeguarding the Character of Established Residential Areas.

At this stage significant weight remains with the existing policies considered within the report and with which the application complies. Therefore the recommendation to Approve is unchanged.

**Recommendation**

Approve subject to conditions. Delegated authority is requested for the Director of Planning and Building Control to finalise the wording of conditions.

## Committee Report

Development Management Report	
<b>Application ID:</b> LA04/2021/0720/F	<b>Date of Committee:</b> 15 <sup>th</sup> March 2022
<b>Proposal:</b> Subdivision of existing dwelling into two apartments with two storey rear extension	<b>Location:</b> 64 Ashley Avenue Malone Lower Belfast BT9 7BU
<b>Referral Route:</b> Referral to the Planning Committee - objection from statutory consultee	
<b>Recommendation:</b> Approval	
<b>Applicant Name and Address:</b> Mr & Mrs McRoberts 4c Haddockstown Road Ballinderry Lisburn BT28 2LP	<b>Agent Name and Address:</b> William Shannon Architect Studio 27 Middle Road Saintfield BT24 7LP
<p><b>Executive Summary:</b> The proposal is for the subdivision of an existing dwelling into two apartments with a two storey rear extension. An apartment on each floor.</p> <p><b>Area Plan</b> The surrounding area is residential. The only designation is that the site is located within the Lisburn Road draft Area of Townscape Character as designated in dBMAP (2014).</p> <p>The application is brought before committee as NIW object to the proposal.</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Principle of dwelling in this location</li> <li>• Character/Layout/Design</li> <li>• Private amenity/landscaping</li> <li>• Access/Parking</li> <li>• Impact on neighbouring amenity</li> <li>• Impact on established residential area</li> <li>• NI Water consultation response</li> </ul> <p>The area displays both dwelling houses and apartments as well as conversion to apartments and therefore in principle the conversion is acceptable. The scale and massing of the extension is considered sympathetic with the existing dwelling and surrounding area. The internal space standards are exceeded, and the private amenity space provided is also well in excess of that recommended.</p> <p>NI Water have not recommended refusal but they state that public foul and public storm capacity is not available at present to service the proposed development.</p>	

No supporting data or information has been provided particular to this application. Clearly the objection is a material consideration. It is however a matter for the decision maker to determine the weight to be attached to it and all other material considerations.

The applicant has been advised to liaise with NIW and NIW advise they intend to upgrade the Waste Water Treatment Works. The proposed apartments contain 3 bedrooms which is the same as the existing dwelling, the maximum no. of occupants is therefore not being increased. Whilst it is acknowledged that each apartment will have its own kitchen/toilet which may generate more waste water, it is considered that the modest scale of the scheme presents a significantly like for like proposal which will not exacerbate the impact on the waste water system to a level that would warrant a refusal. The applicant is currently in discussions with NI Water regarding a potential solution. It is considered that the issue can be resolved by means of a pre occupation condition.

It is also noted that NI Water has a duty to connect significant committed development across the city to its waste water infrastructure. Such development, which includes unimplemented permissions for over 20,000 houses and significant levels of commercial floor space across the city, will not all come forward at once and some may not come forward at all.

In those circumstances it is considered unlikely that the proposal would result in a significant impact on waste water infrastructure over and above the existing use of the site. It is also considered unreasonable to conclude that the proposal, either of itself or in combination with other development, would likely have significant impact on protected environmental assets including Belfast Lough.

For these reasons' officers are of the view that it would be unreasonable to give determining weight to the NI Water objection.

**Recommendation**

The application is recommended for approval subject to Conditions

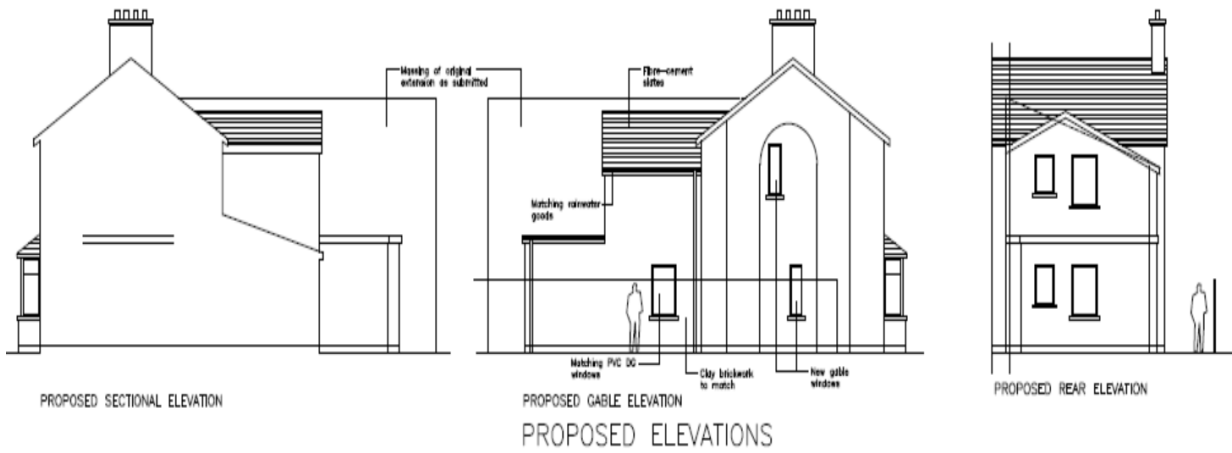
**Case Officer Report**

**Site Location Plan**

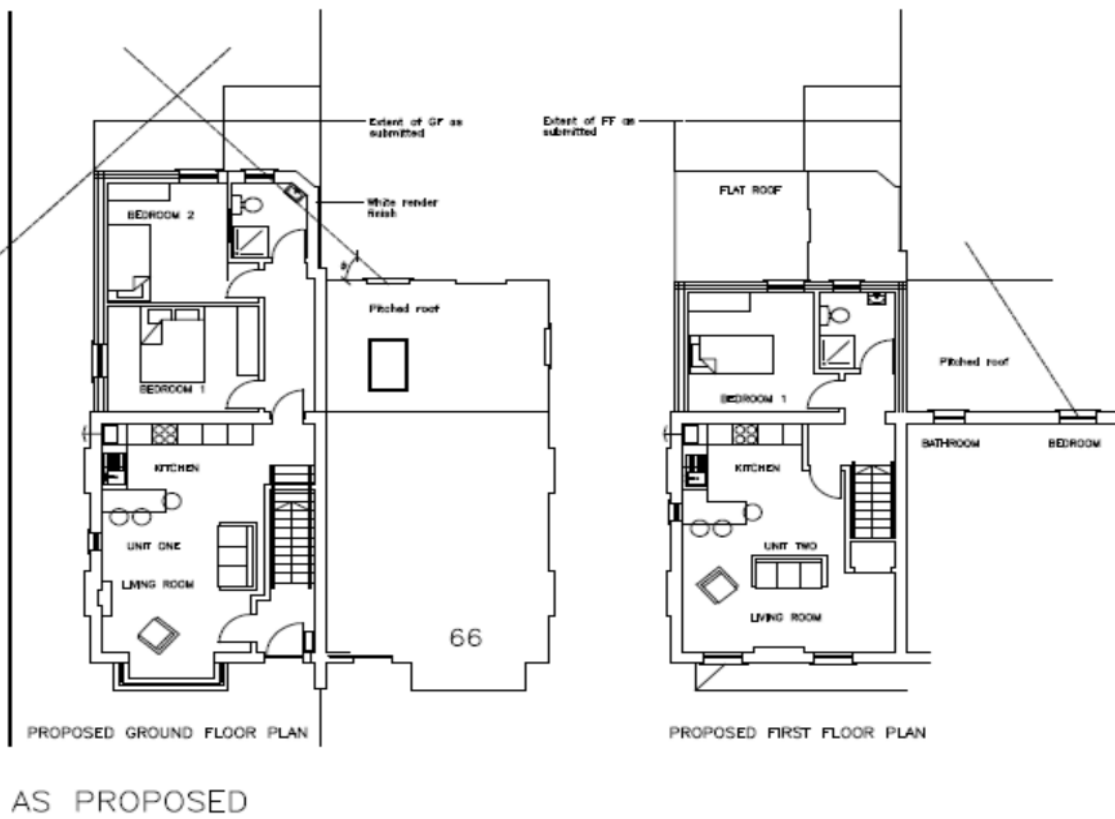


**Block Plan**





**Elevations**



**Floorplans**



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b> Subdivision of existing dwelling into two apartments with two storey rear extension.
<b>2.0</b>	<b>Description of Site</b> The site is located at 64 Ashley Avenue. The dwelling is a two storey, semi-detached, red brick property with a single storey rear return. There is a small amount of amenity space to the front and a large garden to the rear. The surrounding area is residential. The immediate surrounding area is comprised of similar semi-detached and detached dwellings, further to the east and west along Ashley Avenue is higher density terrace housing as well as apartments. The site is located within the Lisburn Road draft Area of Townscape Character as designated in dBMAP.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b> Z/2001/1166/F, 64 Ashley Avenue, Malone Lower, Belfast, Northern Ireland, BT09 7BU, Extension to dwelling, PERMISSION GRANTED, 23.10.2001.
<b>4.0</b>	<b>Policy Framework</b>
4.1	Belfast Urban Area Plan
4.2	Draft Belfast Metropolitan Area Plan 2015 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.  Belfast dLDP The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered Sound and adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.3	Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.4	PPS 3: Access, Movement and Parking
4.5	PPS 7: Quality Residential Environments
4.6	PPS 7 (Addendum): Safeguarding the Character of Established Residential Areas
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads- No objections NI Water- No Waste Water Capacity Available

6.0	<b>Non-Statutory Consultees Responses</b> Environmental Health- No objections
7.0	<b>Representations</b>  The application has been neighbour notified on the 6 <sup>th</sup> May 2021 and advertised in the local press on the 7 <sup>th</sup> May 2021. One objection was received and is summarised below: <ul style="list-style-type: none"> <li>• Application relies upon on-street parking.</li> </ul>
8.0	<b>Other Material Considerations</b> None
8.1	<b>Any other supplementary guidance</b> Creating Places
9.0	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	Assessment  The key issues to be considered are: <ul style="list-style-type: none"> <li>• Principle of dwelling in this location</li> <li>• Character/Layout/Design</li> <li>• Private amenity/landscaping</li> <li>• Access/Parking</li> <li>• Impact on neighbouring amenity</li> <li>• Impact on established residential area</li> <li>• NI Water consultation response</li> </ul>
9.3	It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below.
9.4	<b>Principle of apartments in this location</b>  The immediate surrounding area is comprised of semi-detached and detached dwellings with the exception of no. 70 which is comprised of two apartments. Ashley Avenue does contain apartment developments approximately 90m to the east towards the Lisburn Road. With consideration to Creating Places which encourages a mix of housing types as well as the surrounding area and previous approvals the principle of apartments in this location is considered acceptable.
9.5	<b>Character/Layout/Design</b>  The proposal includes a two storey rear extension which is stepped back at the first floor. The extension measures 6.45m in length at ground floor level and 3.5m at first floor level, the extension contains a pitched roof at a height of 6.1m. two apartments are proposed one on the ground floor with two bedrooms and one on the first floor with one bedroom. The scale and massing of the extension is considered sympathetic with the existing dwelling and surrounding area. The stepped back building line at first floor level ensures

	<p>the extension remains subservient while the roof form is pitched to match the existing dwelling and will sit below the ridge height.</p>
9.6	<p><b>Private amenity/landscaping</b></p> <p>Creating Places recommends a minimum of 10sq metres should be provided per apartment. The proposed apartments comply with creating places and provides sufficient amenity space with a total of 156sq m. The existing boundaries are comprised of hedgerows with a number of trees to the rear, these will be conditioned to ensure a high level of landscaping.</p>
9.7	<p><b>Access/Parking</b></p> <p>The proposed apartments rely upon on street car parking. One objection was received with concerns relating to the impact of on street parking. DFI Roads were consulted and had no objections. The proposed apartments are not of a scale which will cause an unacceptable reduction of available on street parking. The commissioner in the appeal 2017/A0126 at 70 Ashley Avenue noted an acceptable level of parking observed when on site visits. It is also considered that the site is located off the Lisburn Road which is an arterial route and avails of good public transport and readily accessible amenities.</p>
9.8	<p><b>Impact on neighbouring amenity</b></p> <p>The proposed extension will not cause an unacceptable impact on neighbouring dwellings. An angles test has been carried out and the proposal complies. It should be noted that the applicant has shown a breach of the angles test from no. 66, however the angle shown is a 45 degree angle but as the extension is single storey at the section, the 60 degree angle is appropriate. The proposal complies with the 60 degree angle. The scale and massing of the extension ensures that there will be no overshadowing or loss of light to neighbouring properties. There is one ground floor bedroom window located on the side elevation and will be screened by the existing boundary.</p>
9.9	<p><b>Impact on Established Residential Area</b></p> <p>It is considered that the proposal complies with policy LC1 of the addendum to PPS 7. Given the surrounding area consists of some apartment development the proposed density will not significantly differ. The pattern of development is common within the surrounding area and therefore will not impact the character of the established residential area. The proposed apartments comply with the space standards, the ground floor apartment is a two bed, 3 person apartment of 63sq m and the 1st floor apartment is a 1 person 1 bedroom apartment of 48sq m. The space standards require a minimum of 60sq m for the ground floor and 35sq m for the first floor.</p>
9.10	<p><b>NI Water Consultation Response</b></p> <p>NI Water state that waste water treatment capacity is not available for the proposed development. This position was confirmed with the submission of a Pre-Development Enquiry to NI Water by the applicant, the applicant advises that they continue to work with NIW to agree a solution and that they are content to accept a condition that will restrict occupation in the meantime until a solution is agreed. The proposed apartments contain 3 bedrooms which is the same as the existing dwelling, the maximum no. of occupants is therefore not being increased. While acknowledged that with each apartment having its own kitchen/toilet which may generate more waste water, it is considered that the modest scale of the scheme presents a significantly like for like</p>

	proposal which will not exacerbate the impact on the waste water system to a level that would warrant a refusal.
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
<b>11.0</b>	<p><b>Conditions</b></p> <ol style="list-style-type: none"> <li>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.</li> <li>The development hereby approved shall not be occupied until the units hereby granted have obtained NI Water consent to connect to the foul and storm water system. Reason: In the interests of the environment.</li> </ol> <p><b>Informatives</b></p> <ol style="list-style-type: none"> <li>The applicant is advised to contact NIW Waterline on 03457 440088 or <a href="mailto:waterline@niwater.com">waterline@niwater.com</a>, upon receipt of this consultation to discuss any areas of concern. Application forms and guidance are also available via these means.</li> </ol>
<b>Notification to Department (if relevant)</b>	
<b>Representations from Elected members:</b>	
<b>ANNEX</b>	
<b>Date Valid</b>	23rd April 2021
<b>Date First Advertised</b>	7th May 2021
<b>Date Last Advertised</b>	

**Details of Neighbour Notification** (all addresses)

The Owner/Occupier,  
62, 66, 71, 73, 75 Ashley Avenue, Belfast, Antrim, BT9 7BU  
The Owner/Occupier,  
65 - 71 Tates Avenue, Belfast, Antrim, BT9 7BY

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## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> 12 <sup>th</sup> April 2022	
<b>Application ID:</b> LA04/2021/0052/F	
<b>Proposal:</b> New shopfront to ground floor and change of use of first floor from retail to 3 no. 1 bedroom apartments	<b>Location:</b> 10-16 Castle Place Belfast BT1 1GB
<b>Referral Route:</b> Referred to Planning Committee as there is an objection from a statutory consultee – Northern Ireland Water (NIW)	
<b>Recommendation:</b> Approve	
<b>Applicant Name and Address:</b> Alterity Investments 4 Annadale Avenue Belfast BT7 3JH	<b>Agent Name and Address:</b> Insideout Architects 39 Station Road Bangor BT19 1EZ
<p><b>Executive Summary:</b> Full planning permission is sought for a new shop frontage for a retail unit A2 (financial services) at ground floor level previously approved under LA04/2019/0405/F.</p> <p>It is also proposed to change the use of the first floor from Use Class A2 financial services, to residential use - 3No x 1 bedroom apartments .Bicycle storage and bin provision is located at ground floor level to the rear of the retail unit. Access to the apartment is from Castle Place.</p> <p>The site is located at 10-16 Castle Place in Belfast City Centre. It is situated in the City Centre Conservation Area and is part of 'Castle Buildings' (8-18 Castle Place), a 4-storey Grade B1 listed building.</p> <p>There is an associated listed building consent application LA04/2021/0051/LBC.</p> <p>Minimal intervention will be made to the fabric of the building. The first floors will be divided into 3No one-bedroom apartments. All 3No proposed apartments will have living room with an outlook over Castle Place. In this regard they all have an attractive outlook. The windows on the front elevation area all large and will provide adequate day/sunlight into each apartment. The ground floor shop front is to be replaced with a new aluminium shop front with sliding doors.</p> <p>It is considered that the design respects the listed building in terms of scale, height, massing and alignment. The works proposed make use of traditional and sympathetic building materials. The nature of the use proposed respects the character of the listed building and the conservation area.</p>	

The development involves the refurbishment of a city centre building with no external amenity space. Regard has to be given to the desirability of the renovation of the Listed Building and balanced against a shortfall in amenity space.

HED, BCC Conservation Officer, BCC Environmental Health no objection.

No third party objection received.

NIW have since requested a Wastewater Impact Assessment to be submitted directly to NIW to find a potential solution. It is considered on balance that the issue can be resolved by means of a negative condition to address this matter.

Having regard to the policy context and all material considerations, the proposal is considered on balance to be acceptable and planning permission is recommended for approval.

**Recommendation – Approve Subject to Conditions**

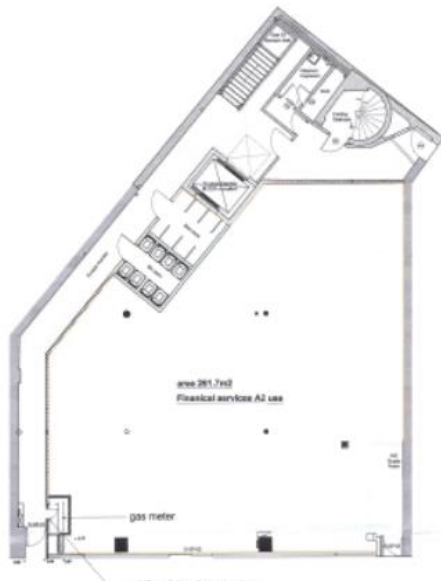
It is requested that the committee delegate authority to the Director of Planning and Building Control to finalise the wording of conditions.

**Signature(s):**



## Case Officer Report

### Site Location Plan



Proposed Ground Floor Plan scale 1:100



Proposed First Floor Plan scale 1:100

### Consultations:

Consultation Type	Consultee	Response
Non Statutory	Env Health Belfast City Council	No Objection Subject to Conditions
Non Statutory	BCC Conservation Officer	No Objection
Statutory	Historic Environment Division (HED)	No Objection Subject to Conditions

Statutory	NI Water - Multi Units East - Planning Consultations	Additional Information
<b>Representations:</b>		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	

<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Site</b>
1.1	The site is located at 10-16 Castle Place in Belfast City Centre. It is situated in the City Centre Conservation Area and is part of 'Castle Buildings' (8-18 Castle Place), a 4-storey Grade B1 listed building.
<b>2.0</b>	<b>Description of Proposed Development</b>
2.1	Full planning permission is sought for a new shop frontage for a retail unit A2 (financial services) at ground floor level previously approved under LA04/2019/0405/F.
2.2	It is also proposed to change the use of the first floor from Use Class A2 financial services, to residential use - 3No x 1 bedroom apartments. Bicycle storage and bin provision is located at ground floor level to the rear of the retail unit. Access to the apartment is from Castle Place.
2.3	There is an associated listed building consent application LA04/2021/0051/LBC.
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
	LA04/2019/0405/F & LA04/2019/0406/LBC - Change of use from existing retail unit and stores to financial services A2 use on ground and first floor and replacement shop front. Conversion of second and third floor to 6 apartments. – Permission Granted.
<b>4.0</b>	<b>Policy Framework</b>
<b>4.1</b>	<b>Regional Development Strategy 2035</b>
<b>4.2</b>	<b>Strategic Planning Policy Statement (NI) 2035</b>
<b>4.3</b>	<b>Belfast Urban Area Plan 2001</b>
	<b>Draft Belfast Metropolitan Area Plan 2004 &amp; 2015</b>
	Following the 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.
	4.3.1 Policy R1 – Retailing in City and Town Centres.
	4.3.2 Policy HOU3 - City and Town Centre Living
<b>4.4</b>	<b>Draft Belfast Local Development Plan Draft Plan Strategy 2035</b>
	The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals

	Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
4.5	Planning Policy Statement (PPS) 7 Quality Residential Environments
4.6	PPS6- Planning, Archaeology and the Built Heritage
4.7	PPS3- Parking Movement and Access
4.8	PPS 12: Housing in Settlements
4.9	Creating Places
<b>5.0</b>	<b>Representations</b>
5.1	The application has been neighbour notified and advertised in the local press - (Belfast telegraph and Daily Mirror) in February 2021. No comments have been received.
<b>6.0</b>	<b>Assessment</b>
6.1	The key issues in the assessment of the application are:  Principle of Development Scale, Massing & Design Impact on the Listed Building & Conservation Area Traffic, Movement & Parking Infrastructure Capacity Other Environmental Matters  <u>Principle of Development</u>
6.2	The site is within the development limit of Belfast as designated in both the BUAP and draft BMAPs. The building is listed and the site falls within the City Centre Conservation Area and the Primary Retail Core/Frontage in draft BMAP.
6.3	A ground floor retail use has been granted under the LA04/2019/0405/F. Active retail use will be therefore be present at ground floor in keeping with relevant policy and guidance.
6.4	It considered that the creation of 3no apartments above the approved retail use will increase the housing stock in the City Centre in line with relevant policy, guidance and the Belfast Agenda. It will also promote living over the shop.
6.5	In this regard, the principle of the change of use from Class A2 at this location to provide 3No apartments is considered to be appropriate subject to considered of other planning and environmental matters below. In addition, this specific proposal will secure the upkeep of the listed building which has been vacant for some time.
	<u>Scale, Massing &amp; Design</u>
6.6	Policy QD 1 of PPS7 relates to Quality in New Residential Development. It states that planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

6.7	As the proposal is for the conversion of part of an existing commercial building into residential apartments at first floor level - there will be no change to the character and topography of the surrounding context. With regard to impact on built heritage features affected by the proposal, see Listed Building Consent heading below.
6.8	Minimal intervention will be made to the fabric of the building. The first floors will be divided into 3No one-bedroom apartments. All 3No proposed apartments will have living room with an outlook over Castle Place. In this regard they all have an attractive outlook. The windows on the front elevation area all large and will provide adequate day/sunlight into each apartment.
6.9	The proposed 3 x 1 bedroom apartments will meet the minimum space standards. Apartment 7 measuring 66sqm, Apartment 8 measuring 84sqm and apartment 9 measuring 77sqm. Space standards set out in addendum to PPS7 recommends 55 sqm for 1 bedroom apartments, in this regard the size of each apartment is acceptable.
6.10	Access to the apartments is from Castle Street utilising an existing door and corridor. This will lead to a stair and lift which will be used to access all floors. This will accommodate access for all apartment residents. In terms of crime deterrence and personal safety of future occupiers, the access corridor to the first floor apartments is via the front entrance on Castle Place.
6.11	Amenity space for bin storage and bikes will be located on the ground floor off the main entrance hall.
6.12	With regard to the provision of private open space, the development involves the refurbishment of a city centre building with no external amenity space. The proposed amenity space therefore falls below the standards as set out in Creating Places, which recommends that open space provision should range from a minimum of 10 sq m per unit to around 30 sq m per unit. Para 5.20 of Creating Places states that the appropriate level should be determined by having regard to the context of the development and advises that development in inner urban locations will tend towards the lower figure. It is acknowledged that the application site is located within the city centre and in relatively close proximity to the City Hall and Waterfront Hall / River Lagan. It is also recognised that there is limited opportunity to provide amenity space within the existing listed building. Regard also has to be had to the desirability of the renovation of the Listed Building and balance against a shortfall in amenity space.
6.13	Consideration must also be given to PPS 12: Housing in Settlements, in particular, living above the shop, which brings many social and economic benefits and is a means of accommodating additional housing in city centre locations. The proposal is considered to comply with this policy in this respect.
6.14	The ground floor shop front is to be replaced with a new aluminium shop front with sliding doors which is considered to be appropriate. HED no objection to this addition.
6.15	Overall, the proposed development would not cause unacceptable harm to the local character, appearance and environmental quality of the area of the area in accordance with relevant policy and guidance.
6.16	<p><u>Impact on the Listed Building &amp; Conservation Area</u></p> <p>The site is located in Belfast City Centre Conservation Area, it is also part of Grade B1 listed building - Castle Buildings.</p>

6.17	It is considered that the design respects the listed building in terms of scale, height, massing and alignment. The works proposed make use of traditional and sympathetic building materials. The nature of the use proposed respects the character of the listed building.
6.18	HED (Historic Buildings) is content in principle with development at this site. HED is content with both this application and accompanying listed building application LA04/2021/0051/LBC.
6.19	This proposal has been assessed under SPPS 6.13 (Change of Use, Extension or Alteration of a Listed Building) of the Strategic Planning Policy Statement for Northern Ireland (SPPS): Planning for Sustainable Development and Policies BH 7 (Change of Use of a Listed Building) and BH8 (Extension or Alteration of a Listed Building) of the Department's Planning Policy Statement 6: Planning, Archaeology and the Built Heritage. HED (Historic Buildings) is cognisant of previous permissions LA04/2019/0406/LBC and LA04/2019/0405/F and that much of the interior has been altered over time with much historic fabric lost.
6.20	HED are content with the proposed scheme in that the proposed shop front at ground floor level is in keeping with the listed building; and that the building facade at ground floor and first floor level is also acceptable and does not negatively impact the listed building. HED have recommended a number of conditions to be imposed regarding materials to be used for the proposed shop front and to ensure architectural details are in keeping with the building. HED are satisfied the proposal is in keeping with policies BH7 & BH8 set in in PPS6.
6.21	The Conservation Officer is satisfied that the scheme will not negatively impact the conservation area in line with requirements detailed in legislation, relevant policy, and guidance.
	<p><u>Traffic, Movement &amp; Parking</u></p> <p>6.22 With respect to Policy AMP1 creating an accessible environment within PPS 3 the proposal is accessible from street level and has a lift in both retail and residential parts of the building.</p> <p>6.23 DFI Roads was consulted on the previous application LA04/2019/0405/F for residential development within the town centre at 10-16 Castle Place and raised no objection to the proposal.</p> <p>6.24 This scheme is in keeping with sustainable transportation principles set out in the SPPS NI (para 6.297), regional strategic objectives - promoting sustainable patterns of development which reduce the need for motorised transport, encourages active travel, and facilitate travel by public transport in preference to the private car.</p>
6.25	<p><u>Infrastructure Capacity</u></p> <p>NIW have commented that waste water treatment capacity is not available for the proposed development.</p>
6.26	Evidence has been submitted from the agent which indicates that projected water usage and volume sewage generated by the proposed development. For 3No apartments this anticipated to be a total of 1350 litres per day.

6.27	For the approved financial services use based on a staffing level of 20 and 200 visitors daily over 2 No floors (as approved under LA04/2019/0405/F) levels are calculated at 4000 litres per day.
6.28	It has been therefore been demonstrated that the proposed 3No apartments will generate less water than the approved Class A2 Use on these premises. It is considered the modest scale of the proposed presents a significantly like for like proposal (or lesser) which will not exacerbate the impact on the wastewater system to a such an unacceptable level.
6.29	These details were submitted to NIW. NIW have since requested a Wastewater Impact Assessment to be submitted directly to NIW to find a potential solution. It is considered on balance that the issue can be resolved by means of a negative condition to address this matter.
6.30	<u>Other Environmental Considerations</u> The proposed redevelopment will not bring forward any environmental concerns particularly in terms or noise, odour, air quality or contamination and as such the proposal will not have a detrimental impact on human health. Environmental Health required further details regarding insulation and noise which has since been submitted.
6.31	Environmental Health have considered the proposals in terms of noise, air pollution, general amenity, ambient air quality, contaminated land and other considerations and have no objections to the proposal. The proposed development will not cause a potential impact on the health of the future occupants.
6.32	Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.
<b>7.0</b>	<b>Summary of Recommendation: Approval Subject to Conditions</b>
	<p><b>Conditions:</b> 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.</p> <p>Materials to be as follows:</p> <p>a) Flashings shall be lead, non-machine tool cut installed fully in accordance with Lead Sheet Association's current recommendations and shall protrude no more than 50mm into the fabric of the listed building with down-stand a minimum of 150mm and flat roof overhang drip nomore than 75mm in height.</p> <p>b) Cladding (Ground Floor) shall be as per point 3 below</p> <p>c) The new ground floor doors to the shop front shall be aluminium, powder coated, graphite grey with slim profile double glazing.</p> <p>d) New windows to ground floor shopfront shall be aluminium, with slim profile double glazing, powder coated, graphite grey;</p> <p>Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character</p>

and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

No vents, extracts, or plumbing or pipes, other than rainwater goods, shall be fixed on the external face of the building, unless shown on the approved drawings;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Cladding Tiles: Prior to the commencement of any works to the ground floor façade of the listed building, samples of the proposed tiles shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division. The works shall thereafter be carried out solely in accordance with the approved details. A sample shall be retained on site until the project is complete;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Faience: Any faience proposed to repaired areas of stall riser shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division. The works shall thereafter be carried out solely in accordance with the approved details. A sample shall be retained on site until the project is complete;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Lathe and Plaster:

a) HED shall be notified if any original lathe and plaster walls and ceilings are discovered;

b) A Method statement for retaining and refurbishing any original lathe and plaster ceilings discovered shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Drylining: Shall be limited to existing lined wall areas only. Specification and details for any proposed drylining to existing lined wall areas shall be submitted to and agreed in writing by Belfast City Council Planning in consultation with Historic Environment Division;

Reason : To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character

and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Walls: New internal walls shall be reversible stud partition type;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Door Schedule: A door schedule showing all internal and external doors shall be submitted to and agreed in writing with HED (Historic Buildings) and the council prior to works commencing on site;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Original timber spiral stair to be retained in entirety – all elements including the single balustrade, turned balusters and newels;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Internally hidden UPVC SVPs shall not damage historic fabric;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

New vent cowls shall be restricted to flat roof areas only;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

New services shall integrate into the existing building without proliferation of voids through historic fabric or new service ducts etc;

Reason: To ensure the essential character of the building and its setting are retained and its features of special interest remain intact and unimpaired; and to ensure that the materials used are of appropriate quality in the interests of maintaining the character and appearance of the listed building and to ensure the architectural details match or are in keeping with the building.

Prior to the installation, details of the proposed glazing specification to the first floor habitable rooms must be submitted to Belfast City Council for review and approval in writing. This information must include evidence that the sound reduction performance of the proposed glazing is in line with the recommendations of the Layde Consulting Noise Impact Assessment dated December 2020 report number P467/1.



Reason: Protection of Residential Amenity

Prior to the occupation of the hereby permitted development the approved façade acoustic glazing and acoustically attenuated mechanical ventilation system must be installed in such a manner so as to ensure the internal noise levels within the habitable rooms do not exceed the internal noise targets as specified in BS8233:2014 and ProPG (2017) with the windows closed and alternative means of ventilation provided in accordance with building control requirements.

Reason: Protection of Residential Amenity

The Separating floor/ceiling between the first floor apartments and the ground floor retail units must provide a sound reduction of 54DnTw as detailed in the Layde Consulting clarification letter dated 12 April 2021 ref P467/2.

Prior to occupation of the hereby permitted development, the developer shall verify that the approved acoustic glazing and alternative means of ventilation have been installed by way of a written declaration from the supplier (s) and installation contractor(s) and that the separating floor/ceiling between the first floor apartments and ground floor retail units is constructed of concrete providing a sound reduction of 54DnTW as specified in the Layde Consulting letter of clarification dated 12 April 2021 or equivalent.

Reason: Protection of Residential Amenity

No development shall commence on site until details of wastewater treatment assessment to serve the proposal have been submitted to and approved in writing with NIW and verification of that agreement is provided in writing to the Council. The development shall not be carried out unless in accordance with the approved details.

Reason: To ensure appropriate infrastructure is in place to serve the development.

#### **Informatives**

All private rented properties must comply with the above legislation including the statutory fitness standard <https://www.communities-ni.gov.uk/minimum-fitness-standards> , which is enforced by Belfast City Council's Environmental Health Service. For further information on these requirements please contact the EHS on 02890270428 or refer to their website <http://www.belfastcity.gov.uk/buildingcontrol-environment/housing/housing-about.aspx>

The applicant's attention is drawn to the consultation responses received by the Council in respect of this application. The responses can be viewed at <https://www.planningni.gov.uk/index/tools/public-access-info.htm>

The drawings referenced in this decision notice above are the site location map and those proposed drawings published to the Planning Portal NI 07/09/21 & 11/10/21.

**Notification to Department (if relevant)**

**Representations from Elected members:**

<b>ANNEX</b>	
<b>Date Valid</b>	18th December 2020
<b>Date First Advertised</b>	5th February 2021
<b>Date Last Advertised</b>	
<b>Details of Neighbour Notification</b> (all addresses) The Owner/Occupier, 10-16 ,Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 18 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 18-22 ,Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 2 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 2 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, 33 Castle Place,Belfast,Antrim,BT1 1GA The Owner/Occupier, 8 Castle Place,Belfast,Antrim,BT1 1GB The Owner/Occupier, Office (2nd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF The Owner/Occupier, Office (3rd Floor),1-9 ,Castle Arcade,Belfast,Antrim,BT1 5DF	
<b>Date of Last Neighbour Notification</b>	16th August 2021
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	Yes /No
<b>Drawing Numbers and Title</b>	
<b>Notification to Department (if relevant)</b>  Date of Notification to Department: Response of Department:	

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## Committee Application

<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2021/2095/F	<b>Date of Committee:</b> 12 <sup>th</sup> April 2022
<b>Proposal:</b> Change of use of warehouse and offices to public house (linked to existing adjacent public house) and entertainment venue/events space including street food market for on premises consumption (part retrospective).	<b>Location:</b> Common Market, 16-20 Dunbar Street, Belfast, BT1 2LH
<b>Referral Route:</b> Belfast City Council (Application Site includes Right of Way over BCC Land)	
<b>Recommendation:</b>	<b>APPROVAL</b>
<b>Applicant Name and Address:</b> Carlisle Inns Ltd Linenhall Exchange 1 <sup>st</sup> Floor, 26 Linenhall Street Belfast	<b>Agent Name and Address:</b> HR Jess / Cochrane Planning and Development 1 Jordanstown Road Newtownabbey BT36 0QD
<p><b>Executive Summary:</b> Full permission is sought for the change of use of warehouse and offices to a public house (linked to existing adjacent public house) and entertainment venue / events space including street food market for on premises consumption (part retrospective).</p> <p>The key issues in assessment of the proposed development are:</p> <ul style="list-style-type: none"> <li>• Principle of public house and event space at this location</li> <li>• Impact on amenity</li> <li>• Impact on traffic flow and parking</li> <li>• Impact on Conservation Area</li> </ul> <p>The site is located within Belfast City Centre boundary and unzoned whiteland within both the BUAP and dBMAP.</p> <p>The proposal would constitute an appropriate city centre use which proposes minimal external changes and as such it would preserve the character and appearance of Cathedral Conservation Area. Subject to the proposed mitigation measures, it is not considered to adversely impact the amenity of neighbouring properties. There is currently an extant temporary planning permission on the site for an event space under reference LA04/2018/2903/F.</p> <p>Historic Environment Division (HED), NI Water, DfI Roads, BCC Estates and BCC Conservation Officer were consulted and have no objections, subject to conditions. The BCC Environmental Health consultation response remains outstanding however it is not considered that the proposal presents any in principle issues and amenity issues can be adequately addressed via conditions. Their response will be reported as an update to committee.</p> <p>No representations have been received.</p> <p>Belfast City Council owns adjacent land and are in the process of granting a temporary licence for part of it to be used as an emergency fire escape route for the proposed venue. This application has been recommended for temporary approval only to align with that of</p>	

temporary licence to ensure that the proposal doesn't prejudice future redevelopment of adjoining sites.

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

**Recommendation – Approval subject to conditions**

It is recommended that the application is given temporary planning approval for a period of 2 years and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.

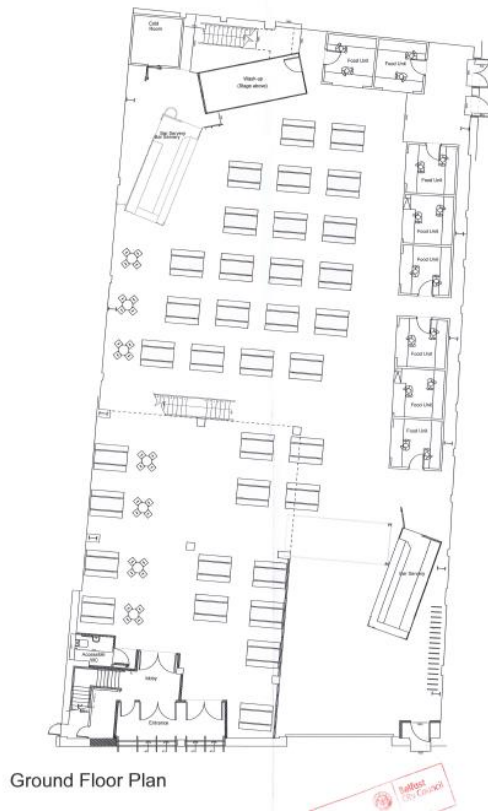
**Characteristics of the Site and Area**

**1.0 Description of Proposed Development**

1.1 Change of use of warehouse and offices to public house (linked to existing adjacent public house) and entertainment venue/events space including street food market for on premises consumption (part retrospective).

**1.2 Proposed Elevations and Floor Plans**

1.3



1.4

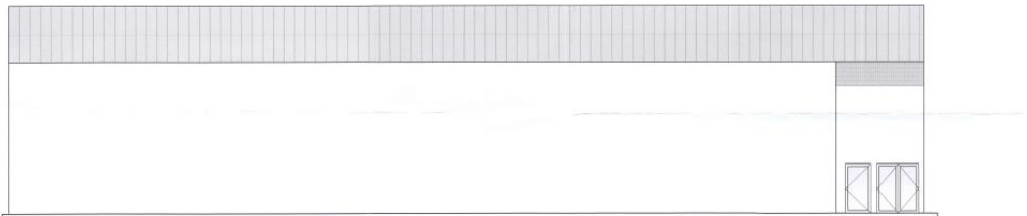


First Floor Plan

1.5



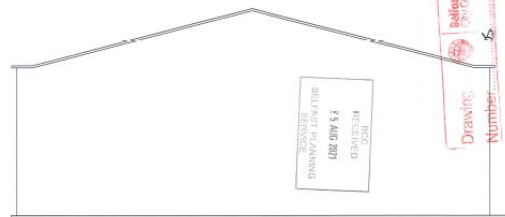
SIDE ELEVATION



SIDE ELEVATION



FRONT ELEVATION



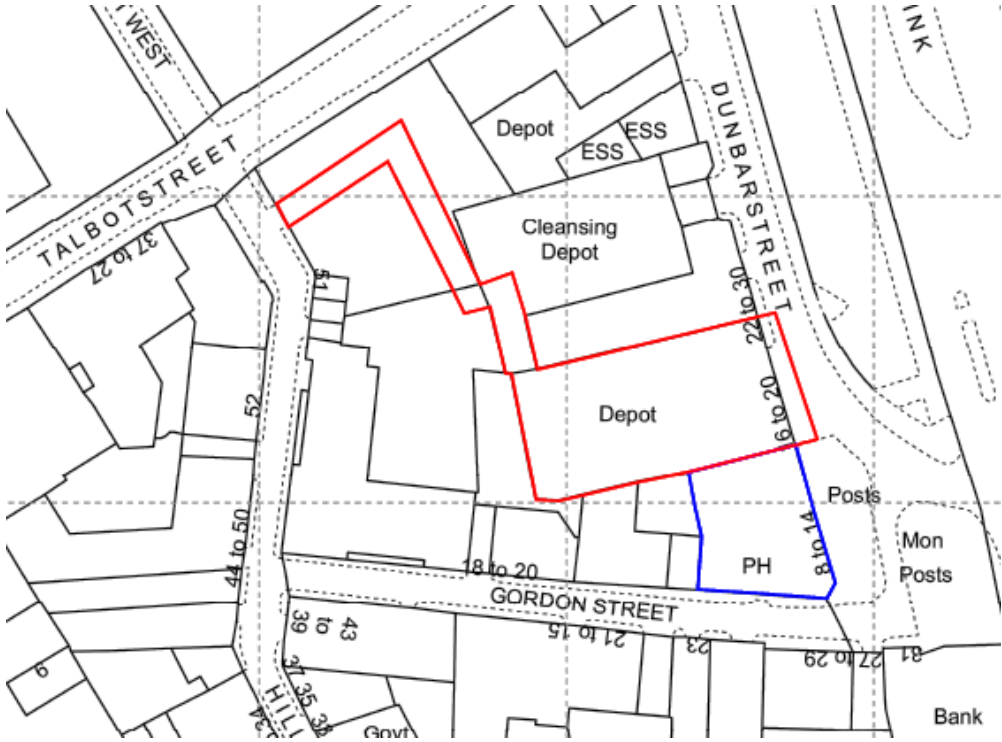
REAR ELEVATION

2.0

**Description of Site**

2.1

The site is located at 16-20 Dunbar Street in Belfast City Centre. It consists of an 870sqm 2-storey warehouse building, currently occupied by the Common Market located in the old Arnott's fruit and veg wholesalers building. The area is mixed use with adjacent uses including a night club and a Belfast City

<p>2.2</p>	<p>Council cleansing depot. There is a public parking area to the front of the building between Dunbar Street and Dunbar Link, beyond which lies Corporation Street. The site is within the Cathedral Conservation Area.</p> 
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**Planning Assessment of Policy and other Material Considerations**

<p>3.0</p>	<p><b>Site History</b></p>
<p>3.1</p>	<p>Z/1978/0254 – 16-20 Dunbar Street – Replacement of bomb damaged warehouse – Permission Granted</p> <p>LA04/2018/2903/F - 16-20 Dunbar Street, Belfast, BT1 2LH - Change of use of warehouse and offices to event space including internal and external alterations [amended site location plan to show fire escape route] – Granted temporary approval, 25<sup>th</sup> February 2020</p> <p>LA04/2021/0291/CA – 16- 20 Dunbar St, Unauthorised change of use – Under investigation</p>
<p>4.0</p>	<p><b>Policy and Legislative Framework</b></p>
<p>4.1</p>	<p>Belfast Urban Area Plan (BUAP)</p>
<p>4.2</p>	<p>Draft Belfast Metropolitan Plan 2015 (pre-inquiry) (dBMAP 2015 v2004)          Draft Belfast Metropolitan Plan 2015 (post-inquiry) (dBMAP) 2015 v2014          The extant Development Plan is 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</p>



	in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker. Given the advanced stage that Draft BMAP had reached including modification after independent examination, the most recent version of Draft BMAP is considered to hold significant weight.
4.3	<p>Belfast Local Development Plan Draft Plan Strategy 2035</p> <p>The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.</p>
4.3	<p>Strategic Planning Policy Statement (SPPS)</p> <p>PPS 3 Access, Movement and Parking</p> <p>PPS 4 Planning and Economic Development</p> <p>PPS 6 Planning, Archaeology and the Built Heritage</p> <p>DCAN 7 Public Houses</p> <p>DCAN 4 Restaurants, Cafes and Fast food outlets</p>
4.4	<p>Section 104 of the Planning Act (Northern Ireland) 2011</p> <p>"Special regard must be had to the desirability of preserving the character or appearance of the Conservation Area or enhancing the character of appearance where an opportunity to do so arises."</p>
<b>5.0</b>	<b>Statutory Consultees Responses</b>
5.1	DFI Roads – No objection, subject to conditions
5.2	NI Water – No objection
5.3	Historic Environment Division – No objection
<b>6.0</b>	<b>Non-Statutory Consultees Responses</b>
6.1	BCC Environmental Health – Outstanding, to be reported as an update to committee
6.2	BCC Estates – No objection
6.3	BCC Conservation area officer - No objections in principle, however some issues noted
<b>7.0</b>	<b>Representations</b>
7.1	The application has been neighbour notified and advertised in the local press. No representations have been received.
<b>8.0</b>	<b>Assessment</b>

8.1	<u>Plan Status/Relevant Policy/Constraints</u>
8.1.2	The site is within the development limit of Belfast as designated in both the BUAP and the draft BMAP. The site falls within the Belfast City Centre boundary, Core Area of Parking Restraint, Cathedral Conservation Area and the Scotch and Cathedral Quarters Character Area in the draft BMAP. The proposed use generally falls within Class D1 Assembly and Leisure with respect to the entertainment / event space element whilst the public house / bar and hot food element is a sui generis use. As the site is not zoned for any specific use the proposal is not contrary to the development plan.
8.2	<u>SPPS</u>
8.2.1	The Strategic Planning Policy for Northern Ireland (SPPS) is a material consideration for all decisions on individual planning applications and provides general policy context.
8.2.2	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. In practise this means that development which accords with an up-to-date development plan should be approved and proposed development which conflicts with an up-to-date development plan should be refused, unless other material considerations indicate otherwise.
8.2.3	Paragraph 6.270 of the SPPS advises that its aim is to support and sustain vibrant town centres through their promotion as the first choice for retailing and other complementary functions. The SPPS advocates a town centre first approach for the location of future retailing and other main town centre uses. Footnote 58 Page 101 indicates "other town centre uses" includes leisure and entertainment. The proposed uses are considered compliant with the SPPS in this regard.
8.3	<b>Principle of a Public House in this location</b>
8.3.1	The proposal is for the change of use from warehouse and offices to a public house (linked to the adjoining public house) and entertainment venue/events space including street food market for on premises consumption. There is an extant approval on the site for an entertainment venue/event space with an associated bar which was granted 2 year temporary approval under application LA04/2018/2903/F; this approval expires in August 2022.
8.3.2	The public house and hot food element of the proposal is classed as sui generis, whilst the entertainment venue/events space element would be classed as D2 Assembly and Leisure. The site is not zoned for a specific use and therefore, is not contrary to the development plan.
8.3.3	There are minimal internal alterations proposed; the ground floor will house the bar and street food market and can also be used for the entertainment/event space. The mezzanine first floor has been converted for toilets and staff offices/facilities.
8.3.4	The external alterations proposed include providing new openings/door frames on the front elevation, which fronts onto Dunbar Street. This will involve removing the existing roller doors associated with the warehouse and installing new doors on the front and side elevations.
8.3.5	Paragraphs 4.11 – 4.12 of the SPPS consider the safeguarding of residential and

	<p>work environments. It requires the planning system to consider all ways to minimise the potential adverse impacts such as noise/light pollution on sensitive receptors. Policy PED 9 of PPS 4: Planning and Economic Development has a general list of requirements for economic development including sui generis uses with criterion (a), (b), (c), (e), (f) and (g) being of particular relevance in this case. These points seek to ensure the land use is compatible with the surrounding area, reduce the impact on residential amenity, built heritage and noise nuisance and ensure access arrangements are acceptable.</p>
8.3.6	<p>The surrounding land uses include a cleansing depot to the north and the associated public house immediately to the south and office developments. There is an apartment block approximately 40m to the west of the site on Hill Street, a Salvation Army Hostel approximately 70m south-east of the site on Victoria Street and the Encore Hotel and apartments at St. Anne's approximately 80m north on Talbot Street. Given the mix of uses in the surrounding area, the proposed use of a public house, street food kitchen and entertainment/event space is considered to be acceptable subject to mitigating measures to protect the nearby residential uses.</p>
8.3.7	<p>The existing building does not exhibit any architectural features which warrant protection, the proposed external alterations are considered to be minor and acceptable.</p>
8.4	<p><u>Impact on Amenity</u></p>
8.4.1	<p>The Council's Environmental Health Team have been consulted regarding the proposal and the potential impact on the amenity, noise, odour and general nuisance.</p>
8.4.2	<p>A noise impact assessment report was submitted with the proposal and concluded that the predicted noise levels of the venue were much lower than the existing levels recorded in the vicinity. The proposed noise impact assessment addressed the difference from the previous approval which was for <i>'concerts and late night dancing compared to the provision for background/mid-ground noise levels in the form of either recorded music/DJ or a small band/singer/performer for the current proposal. The report states that 'entertainment will be at a level such that diners/patrons can maintain conversations whilst the music is playing'</i>. It should also be noted, that the applicant advised that the previous licence had approval for 1500 people compared to the licence for 360 for the proposal. This is a considerable reduction.</p>
8.4.3	<p>This means the internal noise levels would be significantly lower than that assessed under the previous application. As such, given the reduction in internal noise levels from the existing approval, the current proposal would be considered acceptable.</p>
8.4.4	<p>An Odour Impact Assessment report was submitted with the application; the report notes that a high level of odour control is required at this site given the proximity to local sensitive receptors. Given the variety of food sold including ice cream, pizza, Mexican food and fried chicken, it was not possible to group the premises into one food type so the worst case scenario of 'Very High' was selected so as to assume the worst case scenario.</p>
8.4.5	<p>The report states that <i>'the site has installed 8No. individual canopy hoods for each unit. The extract ducts for each of the units are connected to a main extraction system and subsequently, vented to the rear of the building by means of external ductwork which terminates 1m above the eaves height.'</i> Each canopy is also fitted with a grease filter.</p>
8.4.6	<p>Mitigation measures in the form of installing an appropriately rated activated carbon filter system for each of the hot food units or a central carbon filter system were proposed. It was noted that should these be installed along with the extract ducts and grease filters to terminate 1m above the eaves height, it would be considered that the overall odour impact potential would be anticipated to be low.</p>

8.4.7	Whilst the final consultation response from BCC Environmental Health remains outstanding, given the previous planning history for the event space, decrease in the numbers proposed, conclusions of supporting reports, it is not considered that the proposal presents any issues of principle and conditions will ensure that the amenity of neighbouring properties will be adequately protected.
8.5	<u>Impact on Traffic Flow</u>
8.5.1	Dfl Roads were consulted and offered no objection to the proposal subject to three conditions which were requested. The conditions referred to a Service Management Plan, the reinstatement of the footpath and permanent removal of the redundant vehicular access and that doors and windows did not open out onto the public footpath, to ensure the safety of pedestrians and convenience of road users.
8.6	<u>Impact on the Conservation Area</u>
8.6.1	The site sits within the Cathedral Conservation Area and as such, the Council's Conservation officer was consulted. They have advised that the building is of limited architectural and historical merit/ significance to the character and appearance of the Conservation Area. The external changes are minimal and would have a limited impact on the conservation area in terms of the character and amenity of the area.
8.6.2	Although the changes are minor, the Conservation officer has noted that it may be beneficial to seek timber frames for windows and aluminum doors for architectural unity within the conservation area and that the 'Arnotts' sign resonates with the historical trader of the city and would be worthwhile keeping, to retain the historical link. It is noted that the 'Arnotts' has already been removed and replaced. Furthermore, the elevational treatment of the building is the same as that which was considered acceptable and approved under application LA04/2018/2903/F, therefore it would be unreasonable to request these changes.
8.6.3	Overall, the proposal is considered to preserve the character and appearance of the Conservation Area and is compliant with Policy BH12 of PPS 6 and Section 104 of the Planning Act 2011.
8.7	<u>Fire Escape Route</u>
8.7.1	The proposed fire escape route is to mirror that which was agreed under application LA04/2018/2903/F. BCC's Estate Office have advised that they are negotiating a new licence agreement with a proposed term of 18 months and then a month to month agreement. As such, it is recommended that the planning permission is granted temporary approval to reflect this proposed licence agreement for the fire escape route over BCC land, as per the previous approval.
<b>9.0</b>	<b>Summary of Recommendation: Approval subject to conditions</b>
9.1	Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved. It is recommended that the application is given temporary planning approval for a period of 2 years and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.
<b>10.0</b>	<b>Conditions</b>
10.1	The permission hereby granted shall be for a limited period of 2 years only from the date of this decision notice.

10.2	Reason: To enable the Council to consider the development in light of the circumstances then prevailing.
	The Service Management Plan, for the existing adjacent public house, shall be applied, with appropriate amendments if necessary, to the development proposal.
10.3	Reason: In the interests of road safety and the convenience of road users.
	Windows or doors shall not open out over the public road, verge or footway.
10.4	Reason: In the interest of pedestrian safety, road safety and convenience of road users.
	Within one month of the decision, an Event / Venue Management Plan will be submitted to Belfast City Council for agreement in writing. The development shall operate in accordance with the approved Event / Venue Management Plan thereafter.
	Reason: Protection of human health and residential amenity.
<p><b>Notification to Department (if relevant)</b> N/A</p>	
<p><b>Representations from Elected members:</b> N/A</p>	

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## Development Management Officer Report Committee Application

Summary	
<b>Committee Meeting Date:</b> 12 <sup>th</sup> April 2022	<b>Item Number:</b>
<b>Application ID:</b> LA04/2021/2788/F	<b>Target Date:</b>
<p><b>Proposal:</b> Change of use of cash and carry wholesale warehouse (Class B4) to general retail sales (Class A1) comprising 194sqm of floorspace. Change of use of general retail sales (Class A1) to cash and carry wholesale warehouse (Class B4) comprising 141sqm of floorspace. (Relocation of existing retail sales area approved under application references LA04/2017/2293/F &amp; LA04/2019/1656/F within the cash and carry wholesale warehouse and an extension of retail sales area by 53sqm floorspace).</p>	<p><b>Location:</b> Musgrave Marketplace 1-15 Dargan Crescent Duncrue Road Belfast BT3 9HJ.</p>
<p><b>Referral Route:</b>  Belfast City Council are landlord of the building.</p>	
<b>Recommendation:</b>	Approval
<p><b>Applicant Name and Address:</b> Musgrave Wholesale Partners Ltd 1-15 Dargan Crescent Duncrue Road Belfast BT3 9HJ</p>	<p><b>Agent Name and Address:</b> MBA Planning 4 College House Citylink Business Park Belfast BT12 4HQ</p>
<p><b>Executive Summary:</b></p> <p>The application seeks full planning permission for the change of use of one aisle of the cash and carry from Class B4 to general retail sales Class A1, including an extension to the current area of floorspace of retail use by 53sq.m. The existing retail area within the warehouse will be returned to cash and carry use.</p> <p>The key issues are:</p> <ul style="list-style-type: none"> <li>- The impact on neighbouring land uses</li> <li>- Impact on restrictions placed on the approved use of the site</li> </ul> <p>The site is located at Musgrave Marketplace at Dargan Crescent. The application relates to a warehouse unit which was approved permission in 1995 for the ‘erection of wholesale Warehouse’.</p>	

The existing retail sales area within the cash and carry wholesale warehouse was approved under application reference LA04/2017/2293/F and extended under application LA04/2019/1656/F.

The applicant has stated in their cover letter that the reason behind the current application for the further extension of retail space and relocation of the retail area is that in the three years that the alcoholic products have been available to purchase by all of the customer base, Musgrave have become acutely aware that they underestimated the area required to properly operate their off licence and offer their full alcoholic product.

The proposed increase in retail sales area over that previously approved amounts to 53sqm. This is a minor increase with the retail sales area still remaining ancillary to the main use of the building as Class B4 cash and carry. This minor increase in retail sales is not considered to negatively impact the retail core of the city centre. Conditions have been recommended to ensure retail sales remain restricted at this location.

The proposal has been assessed against and is considered acceptable with regards to the Strategic Planning Policy Statement for Northern Ireland (SPPS), Belfast Urban Area Plan 2001 (BUAP) and the Draft Metropolitan Area Plan 2015 (BMAP).

No representations received. DFI Roads offered no objection.

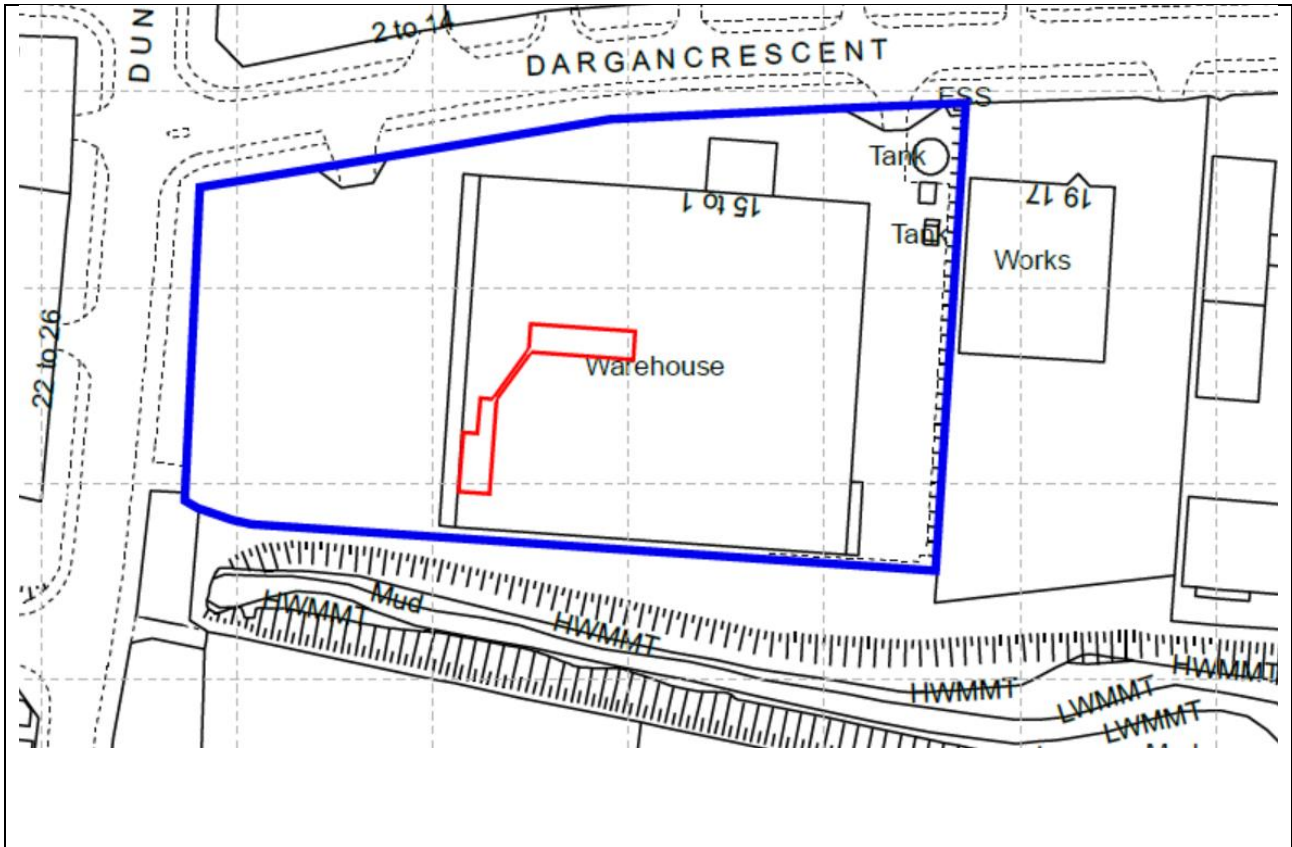
Recommendation: Approval subject to conditions

It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions.

<b>Case Officer Report</b>
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<b>Site Location Plan</b>





Characteristics of the Site and Area	
1.0	<p><b>Description of Proposed Development</b></p> <p>Change of use of cash and carry wholesale warehouse (Class B4) to general retail sales (Class A1) comprising 194sqm of floorspace. Change of use of general retail sales (Class A1) to cash and carry wholesale warehouse (Class B4) comprising 141sqm of floorspace. (Relocation of existing retail sales area approved under application references LA04/2017/2293/F &amp; LA04/2019/1656/F within the cash and carry wholesale warehouse and an extension of retail sales area by 53sqm floorspace).</p>
2.0	<p><b>Description of Site</b></p> <p>The site is located at Musgrave Marketplace at Dargan Crescent. The application site relates to a warehouse unit which was approved permission in 1995 for the 'erection of wholesale warehouse'. The surrounding area is made up of similar style of buildings in commercial warehousing and industrial use.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
3.0	<p><b>Relevant Site History</b></p>
3.1	<p>Z/1998/2478 - Change of use of portion of existing sales area to retail use. Permission granted</p>
3.2	<p>LA04/2017/2293/F - Change of use of wholesale warehouse and cash and carry to general retail sales (class A1) comprising 116 sqm of floorspace. Permission granted 23.01.2018.</p>

3.3	LA04/2019/1656/F - Part change of use of wholesale warehouse and cash and carry to general retail sales (Class A1) comprising of 29sqm of floorspace. Permission granted 26.09.2019
4.0	<b>Policy Framework</b>
4.1	Strategic Planning Policy Statement
4.2	Belfast Urban Area Plan 2001
4.3	Draft Belfast Metropolitan Area Plan 2015 (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)
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from DfI in relation to additional required steps before it can be considered adopted. Paragraph 1.10 states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during the transitional period planning authorities will apply existing policy together with the SPPS.
5.0	<b>Consultations:</b>
5.1	<b>Statutory Consultee Responses</b>
5.1.1	DFI Roads – no objection subject to conditions
5.2	<b>Non-Statutory Consultee Responses</b>
5.2.1	None
6.0	<b>Representations</b>
6.1	The application was neighbour notified and advertised in the local press and no objections have been received.
7.0	<b>Assessment</b>
7.1	The key issues are: <ul style="list-style-type: none"> <li>- The impact on neighbouring land uses</li> <li>- Impact on restrictions placed on the approved use of the site</li> </ul>
7.2	<b>The principle of the proposal at this location</b> The principle of a change of use to retail has already been established under previous planning applications LA04/2017/2293/F and LA04/2019/1656/F which were both granted planning permission.

<p>7.3</p> <p>7.4</p> <p>7.5</p> <p>7.6</p> <p>7.7</p>	<p><u>Change of use from Cash and Carry (Class B4) to Retail (Class A1)</u></p> <p>The site is comprised of an area of 194sq. m within an existing warehouse building which operates predominantly as a Cash and Carry. The proposal includes a change of use from wholesale warehouse and cash and carry to general retail sales (class A1). The proposed development is located within the curtilage of the original building. There are no external alterations proposed and therefore there will be no adverse visual impact on the area.</p> <p>As the proposed change of use to retail covers a small area of an existing warehouse unit and is ancillary to the existing use there will be no unacceptable adverse impact on the vitality and viability of the existing retail core of the city centre. The proposed change of use is compatible with the existing use of the building.</p> <p>The new off licence will be a distinct and separate part of the warehouse floorspace. There will be a clear distinction between the 2 uses through the use of turn styles or gates at each end of the aisle. The proposal is in accordance with criteria set out in SPPS and on balance, given the minor floor space for retail, there is no objection to a change of use to retail.</p> <p><u>Extension of retail floorspace</u></p> <p>The proposed Class A1 aisle accommodating the proposed off-licence will comprise 194sqm of floorspace within the warehouse unit. As the current area that is used for the existing off licence will be returned to B4 cash and carry sales, the floorspace amounts to an uplift of 53sqm from the area of general retail sales that is in operation within this unit at present. A total of 145sqm has been found to be permissible within the unit under the previous two consents. The proposed increase in retail sales area to 53sqm represents a minor increase with the retail sales area still remaining ancillary to the main use of the building as Class B4 cash and carry. This minor increase in retail sales is not considered to negatively impact the retail core of the city centre. Conditions have been recommended to ensure retail sales remain restricted at this location. Given the size and nature of the proposal it will not constitute an out of centre shopping development.</p> <p><u>Change of use from retail space (class A1) to cash and carry (Class B4)</u></p> <p>The existing retail floorspace of the warehouse which is currently in use as an off licence will be returned to use as a cash and carry as part of this proposal. A condition has been attached that this change must take place prior to the re-location of the off licence within one of the main aisles on the warehouse floor.</p>
<p>8.0</p>	<p><b>Conclusion</b></p> <p>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.</p>

9.0	<b>Conditions:</b>
9.1	<p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p>
9.2	<p>The development hereby approved shall be used only for the retail sale of goods other than hot food and for no other purpose in Use Class A1 of the Schedule to the Planning (Use Classes) Order (NI) 2015.</p> <p>Reason: To prohibit a change to unacceptable use within this Use Class.</p>
9.3	<p>The A1 Use hereby approved shall be restricted to 194sqm gross floor space at the approved location shown on drawing 03 uploaded to the planning portal on 13/12/2021.</p> <p>Reason: To control the nature and scale of retail activity at this location.</p>
9.4	<p>Prior to the operation of general retail sales hereby approved, the area currently used for the off licence will be returned to class B4 use and all alcoholic products will be removed from display. The area returned to B4 Use will be permanently retained for use B4 thereafter.</p> <p>Reason: To control the nature and scale of retail activity at this location and protect the use of the cash and carry.</p>

<b>ANNEX</b>	
<b>Date Valid</b>	13th November 2021
<b>Date First Advertised</b>	24th December 2021
<b>Date Last Advertised</b>	
<p><b>Details of Neighbour Notification</b> (all addresses)</p> <p>The Owner/Occupier, 1-15 Musgrave Cash &amp; Carry,Dargan Crescent,Belfast,Antrim,BT3 9HJ</p> <p>The Owner/Occupier, 13a ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, 16,1p ,Duncrue Pass,Belfast,Antrim,BT3 9BS</p> <p>The Owner/Occupier, 16-18 Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, 17-19 ,Dargan Crescent,Belfast,Antrim,BT3 9RP</p> <p>The Owner/Occupier, 22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, 22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, 22-26 Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, 32-34 Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Baird House,2 Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, Duncrue Food Processors,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Shop,16-18 ,Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, Unit 1,20-42 Loughside Industrial Park,Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, Unit 1,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 1-2,2-14 Quayside Office Park,Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, Unit 11-12,1-3 ,Duncrue Crescent,Duncrue Industrial Estate,Belfast,Antrim,BT3 9BW</p>	

<p>The Owner/Occupier, Unit 2, 20-42 Loughside Industrial Park,Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, Unit 2,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 3,2-14 Quayside Office Park,Dargan Crescent,Belfast,Antrim,BT3 9JP</p> <p>The Owner/Occupier, Unit 3,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 4,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 5,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 6,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 6,28-30 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 7,22-26 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit 7,28-30 ,Duncrue Road,Belfast,Antrim,BT3 9BP</p> <p>The Owner/Occupier, Unit A,20-42 Loughside Industrial Park,Dargan Crescent,Belfast,Antrim,BT3 9JA</p>	
<b>Date of Last Neighbour Notification</b>	26th January 2022
<b>Date of EIA Determination</b>	
<b>ES Requested</b>	No
<b>Drawing Numbers and Title</b>	
<p><b>01 – Site location plan</b></p> <p><b>02 – Existing plans</b></p> <p><b>03 – Proposed plans</b></p>	
<b>Notification to Department (if relevant) N/A</b>	
<p>Date of Notification to Department:</p> <p>Response of Department:</p>	

<b>ADDENDUM REPORT</b>	
<b>Committee Meeting Date:</b> Tuesday 12th April 2022	
<b>Application ID:</b> LA04/2021/0303/F & LA04/2021/0290/DCA	
<b>Proposal:</b> Redevelopment, refurbishment, and partial change of use of building at 35-39 Queen St & demolition of building and redevelopment of site at 31-33 Queen St. Provision of ground floor offices/professional services units (use class B1/A2), cafe and retail unit and offices above (use class B1).	<b>Location:</b> 31-39 Queen Street Belfast, BT1 6EA.
<b>Referral Route:</b>	Major Application
<b>Recommendation:</b>	<b>Approval</b> subject to conditions & Section76
<b>Applicant Name and Address:</b> Angus Properties Ltd 12-14 Corn Market Belfast BT1 4AR	<b>Agent Name and Address:</b> O'Toole & Starkey Ltd Arthur House 41 Arthur Street Belfast BT1 4GB
<b>Background:</b>  These applications for planning permission and Conservation Area Consent were considered by the Planning Committee in August 2021. The Committee accepted the officer recommendation to grant planning permission, subject to conditions and a Section 76 Planning Agreement, with delegated authority given to the Director of Planning and Building Control to finalise the wording.  When this application was presented to Committee in August, the applicant had an extant Pre Development Enquiry (PDE) agreement with NI Water. On this basis, the NI Water consultation response dated 01 March 2021 advised that the receiving Waste Water Treatment facility (Belfast WwTW) had sufficient capacity to serve this proposal. However, due to the sewer network being at capacity in the Belfast catchment and sewer flows spilling from Combined Sewer Overflows (CSOs) into the environment, NI Water recommended that no further connections should be made to this network, or a condition should be incorporated which requires an alternative drainage / treatment solution for the site.  NI Water advised that the PDE was valid to 30 December 2021 and further advised that if planning decision has not been determined by 30 December 2021, NI Water should be re-consulted.  Due to the length of time it has taken to finalise the Section 76 Planning Agreement, the 12 months for the PDE with NIW has now expired. The Planning Service reconsulted NI Water and it has repeated their objection relating to network capacity concerns. However, it has also recommended that the application should be refused as sufficient waste water treatment capacity is not available at present for the proposed development. The response states:  <i>'The public system cannot presently serve this development proposal without significant risk of environmental harm. NI Water plans to upgrade the Waste Water Treatment Works in this drainage area. While this remains subject to prioritisation and the availability of funding NI Water is recommending connections to the system are curtailed. The Applicant is advised to</i>	

*consult directly with NI Water to discuss current projected timescales to upgrade the wastewater system in this drainage area. Subject to re-consultation, NI Water may reconsider its recommendation.'*

The agent has responded to the latest NI Water consultation response and has advised that once relevant consents are approved they will proceed with the demolition of the terraces and commence the new build works. This will likely take approximately 18 months to complete from point of consents. The improvements to the WWTW are expected by July 2023 and should provide increased capacity by this stage. Therefore, officers advise that there is no significant issue around WWWT capacity. The applicant has also applied for a storm sewer requisition and the removal of storm water from the combined system would address that part of NI Water's objection as well.

The application is being brought back to Committee to highlight this change of position i.e. NI Water are now citing both network capacity and WWTW capacity objections.

For the reasons stated above, the Committee is advised that these concerns can be addressed by the following condition:

*Notwithstanding the submitted detail, the hereby approved development shall not be occupied until such time as final details of surface water drainage, including a programme for implementation of these works, have been submitted to and approved in writing by the City Council. The development shall not be occupied until the foul and surface water drainage has been implemented in accordance with the approved details.*

*Reason: To ensure appropriate foul and surface water drainage of the site.*

**Recommendation:**

The officer recommendation remains to approve planning permission subject to the above additional condition and other appropriate conditions and Section 76 planning agreement as set out in the original Development Management report.

Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and Section 76 planning agreement.



## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> Thursday 19 August 2021	
<b>Application ID:</b> LA04/2021/0303/F & LA04/2021/0290/DCA	
<b>Proposal:</b> Redevelopment, refurbishment, and partial change of use of building at 35-39 Queen St & demolition of building and redevelopment of site at 31-33 Queen St. Provision of ground floor offices/professional services units (use class B1/A2), cafe and retail unit and offices above (use class B1).	<b>Location:</b> 31-39 Queen Street Belfast, BT1 6EA.
<b>Referral Route: Major Application</b>	
<b>Recommendation:</b>	<b>Approval</b> subject to conditions & Section76
<b>Applicant Name and Address:</b> Angus Properties Ltd 12-14 Corn Market Belfast BT1 4AR	<b>Agent Name and Address:</b> O'Toole & Starkey Ltd Arthur House 41 Arthur Street Belfast BT1 4GB
<b>Executive Summary:</b>  This application seeks the retention of the 5-storey warehouse at Nos. 35-39 and the addition of a two-storey glazed rooftop extension. It further seeks the demolition of Nos. 31-33 and replacement with a 5-storey infill building which also benefits in part from the rooftop extension at upper floors.  The main issues to be considered in this case are: <ul style="list-style-type: none"> <li>• The principle of offices and ground floor uses at this location</li> <li>• The principle of demolition of the 31-33 Queen Street</li> <li>• The consideration of economic benefits</li> <li>• The impact on built heritage and the principle of demolition in the conservation area</li> <li>• The scale, height, massing and design of the extension and new build</li> <li>• The impact on traffic and parking</li> <li>• The impact on amenity</li> <li>• The consideration of site drainage</li> <li>• The consideration of waste management</li> <li>• The impact on human health</li> <li>• The impact on the amenity of adjacent land users</li> <li>• The consideration of developer contributions</li> </ul> <p>The site is located within the City Centre, City Centre Conservation Area, Area of Parking Restraint, Primary Retail Core, Airport Height Restriction, Old City Character Area and proximate to listed buildings.</p>	

DfI Roads, EHO, NIEA, NIE, Rivers Agency, HED and NIW were all consulted in addition to the Urban Design Officer, Economic Development Team and the Environmental Health team within the Council. Their responses are detailed in the main body of the report.

No objections have been received.

The proposal will generate an estimated 250 direct construction jobs with an estimated construction cost of £16.5m, and it is estimated that 710 employees will attend the building once operational.

Having regard to the submitted information and reports, consultee responses and representations, officers consider that the conversion and extension of the current building and proposed replacement building are acceptable. The Conservation Officer notes that the current building at 31-33 Queen Street does not reflect the architectural or historical interest of the wider conservation area and does not make a material contribution that merits retention. The demolition in the conservation area meets the policy test for demolition as set out in PPS6. The Urban Design Officer, Conservation Officer and Historic Environment Division consider that the extension to 35-39 Queen Street is appropriate to the context of the host building and locale. Officers consider that the proposed scheme will contribute positively to the local environment by enhancing the character and appearance of the conservation area and that the proposed scheme will make a positive contribution to the economy. The proposal meets the policy tests outlined in the SPPS and Planning Policy Statement 6.

Having regard to the Development Plan, and other material considerations, the proposed development is considered acceptable.

It is recommended that delegated authority is given to the Director of Planning and Building Control to grant planning permission, It is recommended that planning permission is granted subject to conditions, as set out in the report, and that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and enter into the Section 76 planning agreement.

Case Officer Report

Site Location Plan/Site Layout



### Queen Street elevation



### College Street elevation





**Queen Street elevation (CGI)**



**Long views Queen St (CGI)**



<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<b>Description of Proposed Development</b>
1.1	The proposal retains the five-storey warehouse (Nos. 35-39) with an additional rooftop extension of two storeys. It also proposes a new five-storey infill building immediately adjacent to the retained warehouse in place of the demolished three storey element (Nos. 31-33).
1.2	The Urban Design Officer describes the rooftop extension as covering ' <i>a large proportion of the retained buildings and extends in part across a section of the new five storey infill building. Both floors extend fully to the rear building line along College Court but have been setback off both the Queen Street and College Street elevations along which they incorporate curved profiles</i> '.
1.3	The ground floor will be reinstated shopfronts and glazing using sympathetic design features.
1.4	The application follows a lengthy Pre-Application Discussion (PAD) process with officers.
<b>2.0</b>	<b>Description of Site and Area</b>
2.1	The site is located on Queen Street Belfast. The Conservation Officer describes the site and frontage as having ' <i>strong visual prominence within the wider streetscape and is visible from number of key viewpoints. The built form of the existing urban block is dictated primarily by the Queen Street frontage, with the warehouse at nos. 35-39 occupying a strong nodal corner plot, wrapping onto College Street and turning back into College Court. Directly adjacent on Queen Street are nos. 31-33 (proposed for demolition), after which there is the 'Craftworld' building, a 4storey height (although 3 storey internally), beside which is the listed Queen Street Police Station. With the exception of nos. 31-33, there is an incremental step down in height and scale as one moves northwards from the corner plot to the listed police station</i> '.
2.2	The subject site is currently occupied by two buildings, namely Nos. 35-39 Queen Street (a five-storey red brick former warehouse located at the corner of Queen Street and College Street) and the adjacent Nos. 31-33 Queen Street (a three-storey white rendered retail/office unit). The application proposes retention and re-use of the warehouse at nos. 35-39, including the portion of the warehouse building directly to the rear of nos. 31-33, fronting onto College Court. The current ground floor of Nos 35-39 contains no glazing due to a change of use to a bingo hall in the 1980s.
2.3	The site is located within the City Centre as defined by BUAP 2001 and both versions of draft BMAP 2015. It is within the City Centre Conservation Area and contains a variety of Victorian and Edwardian buildings. Its townscape pattern reflects the earlier history of the town, with continuity between past and present expressed through the buildings, streetscapes and layout.
2.4	The area is primarily commercial in nature with shops and offices. Across the road from the site is Swanston House, the redevelopment and extension of the former Athletic Stores Building on Queen Street for student accommodation.

<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<b>Site History</b>
3.1	<p>Ref ID: LA04/2019/2932/PAN            Proposal: Partial demolition and redevelopment and partial refurbishment and change of use of building at 35-39 Queen Street, and demolition of building and redevelopment of site at 31-33 Queen Street to provide ground floor restaurants/cafes and A2/B1 Offices.            Address: 31-39 Queen Street, Belfast, BT1 6EA,            Decision: PANACC            Decision Date: 18.12.2019</p> <p>Ref ID: Z/2013/1063/F            Proposal: Ten storey hotel comprising of 250 bedrooms, meeting rooms with bar and restaurant to ground floor. Nine storey open plan office building with retail on ground floor with underground car parking.            Address: 78 College Avenue, Belfast, BT1 6BU,            Decision: Permission Granted            Decision Date: 20.02.2015</p> <p>Ref ID: LA04/2019/0553/F            Proposal: Demolition of existing building and erection of 175 bed aparthotel with associated bar, restaurant and conferencing facilities and associated works.            Address: Land at Lyndon Court, 32-38 Queen Street Belfast, BT1 6EF.            Decision: Permission Granted            Decision Date: 05.12.2019</p>
<b>4.0</b>	<b>Policy Framework</b>
4.1	<p>Belfast Urban Area Plan 2001 (BUAP)            Draft Belfast Metropolitan Area Plan 2015 (Draft BMAP 2015)            Draft Belfast Metropolitan Plan 2004            BCC Developer Contribution Framework (2020)</p>
4.2	<p>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 6 - Planning, Archaeology and the Built Heritage            Planning Policy Statement 15 (Revised) - Planning and Flood Risk            City Centre Conservation Area document</p>
<b>5.0</b>	<b>Statutory Consultees</b>
	<p><b>Dfi Roads</b> – no objection subject to conditions and informatives  <b>Rivers Agency</b> – no objection subject to condition  <b>NIEA Historic Buildings Unit</b> – content subject to condition  <b>NIEA Historic Monuments Unit</b> – no objection subject to condition  <b>NIEA Natural Environment Division</b> – no objections subject to informative  <b>NIEA Water Management Unit</b> – no objections, standing advice provided  <b>NIEA Land, Soil, and Air</b> – no objection subject to conditions and informatives  <b>NIW</b> – No objections  <b>NIE</b> – No objections</p>
<b>6.0</b>	<b>Non-Statutory Consultees</b>
	<p><b>Environmental Health BCC</b> – no objection subject to conditions and informatives</p>

	<p><b>Conservation Officer</b> BCC – considers that the existing building at No 31-33 does not make a material positive contribution and that on balance the proposed rebuild will enhance the Conservation Area</p> <p><b>Urban Design Officer</b> BCC – content that the redesign now addresses the appropriate cues in the immediate environment subject to resolution of the palette of materials and recommends the use of conditions to address this matter</p> <p><b>Economic Unit</b> – No objection subject to Section 76 clause</p> <p><b>City Centre Development Team</b> BCC – content that the proposal will contribute positively</p>
<b>7.0</b>	<b>Representations</b>
7.1	No representations have been received.
<b>8.0</b>	<b><u>ASSESSMENT</u></b>
<b>8.1</b>	<b><u>Development Plan</u></b>
8.1.1	Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) of the Planning (Northern Ireland) 2011 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.
8.1.2	Following the Court of Appeal decision on Belfast Metropolitan Area Plan in May 2017, the extant development plan is now the Belfast Urban Area Plan 2001. However, given the stage at which draft BMAP 2015 had reached pre-adoption through a period of independent examination, the policies within it 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. The weight to be attached to policies in emerging plans will depend upon the stage of plan preparation or review, increasing as successive stages are reached.
8.1.3	Given the advanced stage that draft BMAP 2015 reached (i.e. pre-adoption following a period of independent examination), and that the main areas of contention were policies relating to Sprucefield Shopping Centre, dBMAP 2015 is considered to hold significant weight.
8.1.4	In draft BMAP 2004, the site is located within the development limit for Belfast City Centre (CC001), within the City Centre Conservation Area (CC103), within the Belfast City Core Area of Parking Restraint (CC025), within the Primary Retail Core (CC007) and within the Old City Character Area (CC012).
8.1.5	The draft BMAP 2015 identifies the extent of the City Centre Conservation Area (CC103) and notes that it is a substantial area of the city and comprises much of the late Victorian commercial architecture of a bustling, self-confident town which expanded rapidly in the nineteenth century. The Plan further advises that development proposals within the City Centre Conservation Areas are to be assessed in accordance with Planning Policy Statement 6 Planning, Archaeology and the Built Heritage; however, it does not contain any specific policy provisions relevant to these conservation areas.
8.1.6	The application site lies within the Old City Character Area (CC007). The Character Area Designations specify urban design criteria related to the massing, alignment and scale of buildings. In their report on the Public Local Enquiry into Objections to the BMAP 2015 the Planning Appeals Commission (PAC) explored a number of general objections to all Character Areas and in particular to specific design criteria. The PAC concluded that in general the design criteria were merited and basic expectations of responsive urban design within a City Centre context.



8.1.7	The Urban Design Criteria relating to this character area does not specify heights for Queen Street but states that heights of a minimum of 3 storeys and a maximum of 5 should be maintained. In addition, the criteria state that the density of development should be increased/maintained and should take account of adjoining buildings.
<b>8.2</b>	<b><u>The principle of offices at this location</u></b>
8.2.1	The site is located within the settlement limits of draft BMAP 2015. The presumption is therefore in favour of development subject to the planning considerations discussed below. In terms of the proposed office use, the site is within a prime city centre location and proposes approximately 7700 sqm of Grade B1 office space and including some A2 professional uses as well as a ground floor café. It has been assessed against Policy OF1 of Volume 1 of draft BMAP 2015. The policy states that planning permission will be granted for office development within Classes A2 and B1 of the Planning (Use Classes) Order within Belfast City Centre. The proposal therefore complies with this policy.
8.2.2	The proposal has been assessed under Policy PED1 of Planning Policy Statement 4: Planning and Economic Development (PPS4). Policy PED1 states that a development proposal for a Class B1 business use will be permitted in a city or town centre (having regard to any specified provisions of a development plan). Accordingly, the proposal satisfies the requirements of this policy.
8.2.3	The proposed use sits comfortably with the site's prime city centre location and will regenerate what is currently a weak frontage into the conservation area.
<b>8.3</b>	<b><u>The impact of the proposal on the built heritage</u></b>
8.3.1	The application was preceded by a robust Pre-Application (PAD process). The original height and extent of demolition was considered too tall and fundamentally inappropriate in the context of the conservation area and immediate context. As such an amended scheme was explored which reduced the overall height and design and also reduced the amount of demolition proposed.
8.3.2	Section 104 of the Planning (NI) Act 2011 advises that where any area is for the time being designated as a conservation area, special regard must be had to the desirability of (a) preserving the character or appearance of that area in cases where an opportunity for enhancing its character or appearance does not arise; or (b) enhancing the character or appearance of that area in cases where an opportunity to do so does arise.
8.3.3	The Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS) is a material consideration. It advises that until councils have adopted a new Plan Strategy any conflicts between the SPPS and existing specified retained Planning Policy Statements (including PPS6) are to be resolved in favour of the SPPS. The SPPS contains a policy direction reflecting Section 104 of the 2011 Act. Paragraph 6.18 of the SPPS advises that in managing development within a designated Conservation Area the guiding principle is to afford special regard to the desirability of enhancing its character or appearance where an opportunity to do so exists, or to preserve its character or appearance where an opportunity to enhance does not arise. It goes on to say that there will be a general presumption against the grant of planning permission for development or conservation area consent for demolition of unlisted buildings where proposals would conflict with this principle. This general presumption should only be relaxed in exceptional circumstances where it is considered to be outweighed by other material considerations grounded in the public interest.
8.3.4	Policy BH14 of PPS 6 advises that demolition of an unlisted building in a conservation area should normally only be permitted where the building makes no material contribution to the

	character or appearance of the area.
<b>8.4</b>	<b><u>Demolition in the Conservation Area</u></b>
8.4.1	In assessing the contribution of the existing building to the character or appearance of the Conservation Area, regard should be had to the conservation area guidance. The City Centre Conservation Area Guide was published in 1998 and states that new buildings will be expected to take account of the character of their neighbours and should, in mass and outline, be sympathetic to the rhythm of the street scene. Furthermore, materials should generally be of a quality, texture, and colour compatible with the character of the area.
8.4.2	The Conservation Officer states that <i>'by nature of its age and style, it is clear that the physical fabric of the existing building does not reflect the architectural or historical interest of the wider conservation area'</i> and that <i>"it is concluded that the existing building does not make a material, positive contribution to the character and appearance of the conservation area'</i> .
8.4.3	Policy BH 14 states that where a building makes a positive contribution to the character or appearance of a conservation area there will be a presumption in favour of retaining it and in assessing the proposals the Council will have regard to the same broad criteria outlined for the demolition of a listed building under Para 6.5 of PPS 6 and Policy BH10.
8.4.4	The Conservation Area Officer (CAO) describes Nos 31-33 as being former dwellings from the mid-Victorian period most likely constructed c1830. He states that whilst there are a small number of features which reflect the history such as gable depth and vertical emphasis, that <i>"above ground floor of both properties however there is limited detailing; original fabric has significantly deteriorated; façades are in poor condition with visible cracking and damage, and indications of potential water damage/ingress/damp. Windows are uPVC, and both elevations feature various modern interventions such as projecting signage, alarms, rainwater goods, projecting lighting stack and wiring"</i> .
8.4.5	He goes on to summarise that <i>"the buildings retain value in historical interest, however it is limited by way of architectural interest, in particular when read within the wider streetscape. On balance the part played in the wider area is diluted strongly by the current, physical condition and presentation, and in my opinion they make a neutral contribution to the character and appearance of the wider area."</i>
8.4.6	The CAO states that should the replacement scheme be agreed which makes an equal or greater contribution to the area, that he would have no objection to the demolition under Policy BH14 of PPS 6. The replacement proposals falls to be considered under Policy BH12 as detailed below.
8.4.7	The Urban Design Officer (UDO) notes that the retention of the portion of the Victorian Warehouse to the rear along College Court, as negotiated through the PAD process, is welcomed and will add significant value. He also states <i>'as seen on site during the PAD process, this building is in a poor state of repair internally with a great deal of the original fabric of the building already lost. This included its altered GF retail frontage which contributes little to the character of the street. In my view the loss of this building could be justified subject to the overall scheme making a more positive contribution to the area.'</i>
<b>8.5</b>	<b><u>The impact of the proposed building on the Conservation Area</u></b>
8.5.1	The House of Lords in the <i>South Lakeland</i> case decided that the "statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved."

8.5.2	<p>The proposed building should be considered having regard to the SPPS and Policy BH12 of PPS 6. The site is located within the Belfast City Centre Conservation Area as designated in the BUAP and BMAP/dBMAP. As detailed previously, the current building is not considered to make a material contribution to the conservation area however there is still a balance to be achieved with the proposal in terms of assessing the new proposal.</p>
8.5.3	<p>Policy BH12 of Planning Policy Statement 6 (PPS6) details criteria for new development in the conservation area. This policy contains several criteria which are applied to proposals in the conservation area.</p>
8.5.4	<p><b>(a) the development preserves or enhances the character and appearance of the area;</b>  <b>(b) the development is in sympathy with the characteristic built form of the area;</b>  The Conservation Officer advises that <i>'the proposal includes the retention and re-use of both the warehouse at nos. 35-39, and the portion of the 5-storey red brick warehouse building directly to the rear of nos. 31-33, fronting onto College Court. By way of scale, height, proportions, bay rhythms, vertical emphasis, style and materials, together they help ascribe the historical architectural development of the conservation area and are clearly reflective of functional uses of the area. In my opinion their architectural and historic interest makes a positive contribution to the character and appearance of the conservation area, and thus their retention and integration within the wider redevelopment scheme is strongly welcome'</i>. He also states that <i>"the scheme as now proposed introduces a new five storey building that will sit comfortably beside the warehouse and ensure a sympathetic transition to the Craftworld building"</i>.</p>
8.5.5	<p>With regards to the roof-top extension, the CAO acknowledges the discussions which took place during the PAD whereby concerns were explored regarding the extension and impact of the design. He states <i>'with the proposed new-build now aligning with the existing warehouse, this enables the rooftop extension to project across both; and whilst it is still two storeys in height it has been set back and reduced further in both scale and depth than the previous iterations. In my opinion its curvature will add visual interest, and whilst it is clearly a contemporary addition above a traditional roofscape, the retention of the warehouse together with the new-build below will provide a solid and legible base. On balance, and again subject to conditions ensuring the use of suitable high quality materials, it would be difficult to conclude that the rooftop extension would reduce or dilute the significant positive elements of the overall scheme to such a level that it could be considered detrimental or harmful to the wider area'</i>.</p>
8.5.6	<p>Overall, the CAO states that <i>"there are sufficient benefits of the redevelopment in its totality that, even when read with the two-storey extension, would still make a positive contribution to the character and appearance of the conservation area. Likewise when balanced against the cumulative contribution made by the existing buildings, the contribution of the proposed scheme as a whole would, in my opinion, be greater than that which currently exists, and is of sufficient quality to enhance the character and appearance of the conservation area"</i>.</p>
8.5.7	<p><b>(c) the scale, form, materials and detailing of the development respects the characteristics of adjoining buildings in the area;</b>  The Urban Design Officer states that <i>'it is considered that the five-storey infill will sit comfortably with both the retained warehouse to the south and the Craftworld building to the north, providing an appropriate transitional element between both.'</i> With regards to the rooftop extension, the UDO describes this as an <i>'unashamedly contemporary yet considered addition to the historic warehouse building'</i>.</p>

	Both the CAO and UDO recommend that suitable conditions are attached to ensure a high quality palette of materials is agreed ahead of construction, see Para 11.2
8.5.8	<p><b>(d) the development does not result in environmental problems such as noise, nuisance or disturbance which would be detrimental to the particular character of the area;</b></p> <p>Environmental Health have not raised any concerns subject to conditions regarding these matters.</p>
8.5.9	<p><b>(e) important views within, into and out of the area are protected;</b></p> <p>Given the location of the site on the corner of Queen Street and College Street, the proposal will not be substantially visible from outside the conservation area. The key views for consideration within the Conservation Area are from Wellington Place, College Street and Queen Street. Having assessed these key views on the basis of the submitted material, the proposal is considered acceptable.</p>
8.5.10	<p><b>(f) trees and other landscape features contributing to the character or appearance of the area are protected;</b></p> <p>There are no landscape features on the site.</p>
8.5.11	<p><b>(g) the development conforms to the guidance set out in conservation area documents.</b></p> <p>It is considered that the proposals are consistent with the guidance.</p>
8.5.12	In conclusion, criteria (a) to (g) of Policy BH 12 have been assessed with input from the Conservation Officer and Urban Design Officer. Subject to resolution of the external materials, the proposal is deemed to be acceptable in policy terms.
<b>8.6</b>	<b><u>The impact of the proposal on nearby Listed Buildings</u></b>
8.6.1	Policy BH11 of Planning Policy Statement 6 (PPS6) relates to development affecting the setting of a listed building. There are several listed buildings/structures of special architectural and historic interest, protected under Section 80 of the Planning Act (NI) 2011 in the immediate vicinity. Of particular relevance is the Grade B1 listed former RUC Barracks/Children's Hospital, Queen Street.
8.6.2	Historic Environment Division were consulted extensively during the PAD process in relation to the proposal. In particular, the scale, form and materials of the roof extension were of concern however these concerns were addressed by design changes agreed through the PAD process. HED state that they are content with the proposal subject to a condition requiring details of the curtain walling to glass box upper levels, see Para 11.2.
<b>8.7</b>	<b><u>Archaeology</u></b>
8.7.1	Historic Environment Division: Historic Monuments Unit (HMU) have been consulted and considered the impacts of the proposal. HMU states that <i>'the application site is located in the historic core of Belfast, close to the town ditch of the 17<sup>th</sup>-century town (ANT 061:022). The recorded archaeological sites and monuments nearby are indicators of a high archaeological potential for further, previously unrecorded archaeological remains which may be encountered within the application site'</i> .
8.7.2	They state that they are <i>'content that the proposal satisfies PPS 6 policy requirements, subject to conditions for the agreement and implementation of a developer-funded programme of archaeological works. This is to identify and record any archaeological remains in advance of new construction, or to provide for their preservation in situ, as per</i>

	<p><i>Policy BH 4 of PPS 6. The archaeological programme of works should include a historic building survey of numbers 31-33 Queen Street and provisions to monitor the demolition of these buildings.’ See Para 11.7 for this condition.</i></p>
<b>8.8</b>	<b><u>Scale, Massing, Height and Design</u></b>
8.8.1	There was a previous Pre-Application Discussion (PAD) for this office scheme on this site. Written feedback was provided regarding key aspects of the scheme and amendments were requested and the current scheme follows extensive negotiations with officers.
8.8.2	5-storey rebuild (31-33 Queen Street) - The Urban Design Officer notes that the <i>‘upper height of this building sits below the shoulder height of the retained warehouse and is in general conformity with datum lines along the street. It is considered that the five-storey infill will sit comfortably with both the retained warehouse to the south and the Craftworld building to the north, providing an appropriate transitional element between both’</i> .
8.8.3	2-storey rooftop extension (35-39 Queen Street) – The rooftop extension was the subject of extensive negotiation during the PAD process and as a result, the form, scale and materials were amended. The submitted proposal is described by the UDO as covering <i>‘large proportion of the retained buildings and extends in part across a section of the new five storey infill building. Both floors extend fully to the rear building line along College Court but have been setback off both the Queen Street and College Street elevations along which they incorporate curved profiles’</i> and goes on to summarise that <i>‘deeper setbacks have been applied along the northern and eastern elevations to address views north and south along Queen Street, particularly those that could have had implications with respect to the setting of the listed former police station. The dynamic curved profile will also in my view help to add visual interest in what is an unashamedly contemporary yet considered addition to the historic warehouse building and will create an interesting juxtaposition of old and new at this visually prominent corner location’</i> .
<b>8.9</b>	<b><u>Detailed design</u></b>
8.9.1	During PAD discussions, a number of key elements were discussed such as the importance of reflecting surrounding historic buildings via proportions and articulation, window reveal depths, the use of blind windows, the ground floor proportions and detailed materials.
8.9.2	The Urban Design Officer summarises that he considers <i>‘that the general articulation of the infill element, GF configuration and upper rooftop addition alongside the proposed palette of materials will result in a scheme that complements both the retained buildings and wider streetscene. The mottled grey brick of the infill element will provide a fresh and contemporary look and a degree of contrast with the more traditional red brick of the adjacent warehouse while reflecting the lighter tone of the ‘Craftworld’ building to the north’</i> .
8.9.3	Ground floor animation was an important consideration due to the prominent location within the conservation area and officers welcome the reintroduction of an active ground floor versus the dead frontage of the existing bingo hall. The use of glazing and intended use as a café will re-enliven this corner site.
8.9.4	As the Conservation Officer and HED also requested, the UDO requests that a condition is included to ensure the Council’s approval of materials prior to the commencement of works, see Para 11.2.

<b>8.10</b>	<b><u>Ecology</u></b>
8.10.1	NIEA were consulted and had no objections. The agent submitted a Bat Survey which found that bat activity around the building was very low and no roosting sites were identified. The survey however did identify a large number of bird nests within the structure of the building and NIEA note that all birds including feral pigeons are protected under Schedule 4 of the Wildlife (NI) Order 1985. NIEA recommended a condition regarding the management of the feral pigeon problem being undertaken by a professional pest controller under Wildlife legislation however this would be outside the remit of the Planning Act and therefore will be included as an informative.
<b>8.11</b>	<b><u>Traffic, Movement and Parking</u></b>
8.11.1	The proposal has been assessed against PPS 3 and PPS13. In assessing the proposal DfI Roads considered the Transport Assessment Form and a Travel Plan.
8.11.2	There is zero parking provision within the scheme – and indeed the layout of the site and retention of historic buildings coupled with the need to provide active frontage precludes the provision of parking. The submitted Travel Plan however outlines the sustainable location of the proposal within an area of parking restraint and discusses the opportunities for public transport, access by bicycle and on foot as well as the strategic aim of reducing private car use.
8.11.3	DfI Roads have no objections subject to conditions regarding cycle parking and compliance with the Service Management Plan and Travel Plan.
<b>8.12</b>	<b><u>Contaminated Land</u></b>
8.12.1	The application is supported by a Phase 1 contaminated land report. The Environmental Health Service and NIEA Air, Land and Soil has reviewed the Phase 1 report and both note that a Phase 2 risk assessment report is required. Environmental Health have provided conditions to require the submission of same prior to construction and NIEA have confirmed by email that they too will provide conditions.
<b>8.13</b>	<b><u>Noise and Odour</u></b>
8.13.1	A Noise and Odour Impact Assessment was submitted in support of the application. BCC: EH has no objections and has provided conditions with regards to: <ul style="list-style-type: none"> <li>- the requirement for a proprietary odour abatement system</li> <li>- maintenance of the extraction and ventilation system</li> <li>- provision of a 1.5m barrier screen around the air conditioning units</li> <li>- control of commercial vehicles to and from the development between 07.00 and 23.00</li> <li>- maximum noise standards for plant and machinery</li> <li>- restriction of entertainment and live music within the proposed restaurant/café</li> </ul>
<b>8.14</b>	<b><u>Air Quality</u></b>
8.14.1	Environmental Health have assessed the submitted details and recommend a condition for an Air Quality Assessment in the case that any centralised combustion sources are used. <p>A condition has also been recommended which requires the submission of a Dust Management Plan prior to the commencement of works.</p>
<b>8.15</b>	<b><u>Site Drainage and Flooding</u></b>
8.15.1	The proposal is supported by a Drainage Assessment. Rivers Agency has advised that Policies FLD 1, 2, 4 and 5 of the Revised PPS15 – ‘Development in Fluvial (River) and Coastal Flood Plains’ do not apply. They have requested further information in the form of

	a PDE response from NI Water consenting to discharge to their system. Delegated authority is sought to resolve this matter.
8.15.2	NIW were consulted and advised that NI Water Limited confirmed that waste water treatment capacity is not available at present for the proposed development and advised that if the applicant wishes to proceed they should contact NIW to discuss alternative interim options such as a temporary wastewater facility at the developer's own expense; this would not be adopted by NIW in the future. NI Water have confirmed that they have a programme for WWTW improvements which will increase capacity over the coming years. This includes two new sludge processing tanks for Belfast and subsequent improvements to the city's six existing sludge processing tanks. These works are estimated to be completed within 2.5 years – well within the five-year lifespan of planning permission were it to be granted. Moreover, NI Water makes allowance for existing significant committed development across the city including extant planning permissions. Such development will not all come forward at once which means in practical terms it would be unreasonable to withhold planning permission in relation to these issues. In light of the NI Water response the agent has advised that they would be agreeable to the use of a negative planning condition to require full details of the how foul/wastewater is to be disposed of prior to commencement of the development. As this matter can be addressed by a suitably worded planning condition (see Para 11.20), this issue is not considered to be a refusal reason.
<b>8.16</b>	<b><u>The impact on the amenity of adjacent land users</u></b>
8.16.1	It is considered that the proposal would not result in any unacceptable overlooking, loss of light, overshadowing, loss of outlook or other harmful impacts on adjacent land users.
<b>8.17</b>	<b><u>Pre-Community Consultation</u></b>
8.17.1	For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicants for planning permission to consult the community in advance of submitting an application.
8.17.2	Section 27 also requires that a prospective applicant, prior to submitting a major application must give notice, known as a 'Proposal of Application Notice' (PAN) that an application for planning permission for the development is to be submitted. LA04/2019/2932/PAN was submitted to the Council on 12 December 2019 and was deemed to be acceptable on 19 December 2019.
8.17.3	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 (PACC) to accompany the planning application. A PACC Report has been submitted in support of this application which includes details of the public event, email consultations and newspaper advertising. Concerns were raised regarding the height of the proposal and the overall height was subsequently reduced through the PAD process. Other comments were generally welcoming of the proposal.
8.17.4	It is considered that the PACC Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Planning Act (NI) 2011 to consult the community in advance of submitting an application.

<b>8.18</b>	<b><u>Developer Contributions</u></b>
8.18.1	Para 5.69 of the SPPS states that “Planning authorities can require developers to bear the costs of work required to facilitate their development proposals”.
8.18.2	The Developer Contributions Framework published by Belfast City Council in January 2020 sets out the circumstances whereby mitigation or management of the impacts of new development is required.
8.18.3	The Economic Unit assessed the information provided by the applicant and have requested that a Section 76 clause regarding employability and skills be included. This clause will require an employability and skills plan to be submitted to the Council to detail mitigations and interventions that will be put in place to ensure the viability of the development relating to employability and skills.
8.18.4	No other developer contributions were necessary to facilitate the proposals.
<b>8.19</b>	<b><u>Economic Principles and impacts of the Proposal</u></b>
8.19.1	Paragraphs 4.18 and 4.22 of the SPPS state that planning authorities should take a positive approach to appropriate economic development proposals and pro-actively support and enable growth generating activities. The application was supported by an Employability and Skills Assessment (ESA) which was considered by the Council’s Economic Development team. The ESA estimates that the proposal will generate 250 direct construction jobs. Once operational, it is envisaged that 710 people will be employed on the site.
8.19.2	As detailed in Para 8.19.3, a clause will be included in the Section 76 to ensure the viability of the development relating to employability and skills.
8.19.3	The City Regeneration and Development Team welcomes the car free nature of the development and overall ‘ <i>supports the proposal as it is broadly in line with the relevant BCCRIS core policies and INW Masterplan Objectives</i> ’.
<b>8.20</b>	<b><u>Conclusion</u></b>
8.20.1	The proposal will have a positive impact on the character and appearance of the area, landscape, traffic, surrounding land-uses and wider environment. It is considered that the proposal would result in wider economic benefits and job creation opportunities.
8.20.2	Having regard to the Development Plan and relevant material considerations, including the previous planning permission for a tall office building on the site, the proposal is considered acceptable and planning permission is recommended subject to conditions and the applicant entering into a Section 76 Planning Agreement.
<b>10.0</b>	<b>Summary of Recommendation:</b>
10.1	It is recommended to grant conditional planning permission subject conditions and a Section 76 planning agreement. It is requested that delegated authority is given to the Director of Planning and Building Control to finalise the wording of conditions and complete the Section 76.



<p><b>11.0</b></p> <p>11.1</p> <p>11.2</p> <p>11.3</p> <p>11.4</p> <p>11.5</p> <p>11.6</p> <p>11.7</p>	<p><b>Conditions (final wording to be delegated to the Director of Planning and Building Control)</b></p> <p>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p>Notwithstanding the submitted details, the following elements of the approved scheme shall not be constructed, installed, implemented or carried out unless in accordance with further details and samples which must be first submitted to and approved in writing by the Council:</p> <ol style="list-style-type: none"> <li>1. Brick</li> <li>2. Cladding</li> <li>3. Windows</li> <li>4. Rainwater goods</li> <li>5. Roofing materials</li> <li>6. Barrier screen referenced in Condition 11.10</li> <li>6. Details of curtain walling to glass box upper levels including capping type, detail of Mesh fin type and vertical detail through 'horizontals'</li> </ol> <p>The works must be implemented and permanently retained in accordance with the details so approved. A sample of each material shall be retained on site until the project is complete.</p> <p>Reason: To ensure the material finish and detailing is sympathetic to the Conservation Area and the setting of nearby listed buildings.</p> <p>The development shall not become operational unless weather protected cycle parking has been fully provided in accordance with the approved plans. The approved cycle parking must be permanently maintained.</p> <p>Reason: To ensure acceptable cycle parking facilities on the site and to encourage alternative modes of transport to the private car.</p> <p>All redundant accesses from the site to the public road shall be permanently closed off and the footpath reinstated to the satisfaction of the Department for Infrastructure.</p> <p>Reason: In order to minimise the number of access points on to the public road in the interests of road safety and the convenience of road users.</p> <p>The development shall operate in accordance with the Service Management Plan.</p> <p>Reason: In the interests of road safety and the convenience of road users.</p> <p>The development shall operate in accordance with the Travel Plan.</p> <p>Reason: To encourage alternative modes of transport to the private car.</p> <p>No site works of any nature or development shall commence unless a programme of archaeological work (POW) has been prepared by a qualified archaeologist, submitted to and approved in writing by the Council in consultation with Historic Environment Division, Department for Communities. The POW shall provide for:</p> <ul style="list-style-type: none"> <li>• The identification and evaluation of archaeological remains within the site;</li> <li>• Mitigation of the impacts of development through licensed excavation recording or by preservation of remains in-situ;</li> </ul>
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	<ul style="list-style-type: none"> <li>• Post-excavation analysis sufficient to prepare an archaeological report, to publication standard if necessary; and</li> <li>• Preparation of the digital, documentary and material archive for deposition.</li> </ul> <p>All construction thereafter must be in accordance with the approved POW.</p> <p>Reason: to ensure that archaeological remains within the application site are properly identified and protected or appropriately recorded.</p>
11.8	<p>No development shall commence on site until details of wastewater disposal have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul drainage of the site.</p>
11.9	<p>Prior to the operation of the development hereby permitted, 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 of not less than 1 metre above the eaves height of the main building at 10-15 m/s and it should be directed away from nearby properties in accordance with the submitted Layde Consulting report entitled '<i>Noise and Odour Impact Assessment Partial demolition and redevelopment and partial refurbishment and change of use of a building at 35-39 Queen Street and demolition and redevelopment of site at 31-33 Queen Street to provide ground floor restaurant/café and A2/B1 offices</i>' dated January 2021 referenced P470/1.</p> <p>The extraction and ventilation system must be cleaned and maintained in accordance with manufacturer's instructions to ensure compliance with the aforementioned report.</p> <p>Reason: Protection of amenity from odour impacts.</p>
11.10	<p>Prior to the operation of the development hereby permitted, a 1.5m barrier screen shall be installed around the two banks of air conditioning units on the rooftop area, in accordance with the submitted Layde Consulting report entitled '<i>Noise and Odour Impact Assessment Partial demolition and redevelopment and partial refurbishment and change of use of a building at 35-39 Queen Street and demolition and redevelopment of site at 31-33 Queen Street to provide ground floor restaurant/café and A2/B1 offices January 2021 P470/1</i>'.</p> <p>The screen shall be constructed in accordance with the approved details under Condition 11.2 and permanently maintained.</p> <p>Protection of amenity from odour impacts.</p>
11.11	<p>No commercial deliveries or collections associated with the development shall be made between the hours of 23.00 and 07.00hrs.</p> <p>Reason: Protection of amenity of nearby residential receptors.</p>
11.12	<p>Prior to the operation of the development hereby permitted, all external plant shall be selected, designed and installed so as to achieve a combined rating level (LAr,T) no greater than the representative (daytime and night time background sound level (dBLA90) when measured or determined at the façade of the nearest noise sensitive premises in accordance with BS 4142:2014+A1:2019.</p>
11.13	<p>The permanent operation of said equipment must not exceed these levels. Reason: Protection of amenity of nearby residential receptors.</p>

11.14	<p>No entertainment or live music is permitted in the restaurant/café within the proposed development.</p> <p>Reason: Protection of amenity of nearby residential receptors.</p>
11.15	<p>In the event that any centralised combustion sources (boilers/CHP, biomass), where the single or combined NOx emission rate is more than 5mg/sec are proposed as part of this development and prior to operation of the development, an Air Quality Impact Assessment shall be carried out and submitted to the Council for approval. The assessment shall demonstrate that there will be no adverse impact on human health due to emissions and shall operate permanently in accordance with the approved details.</p> <p>Reason: The protection of human health</p>
11.16	<p>No works or development shall commence unless a Dust Management Plan has been submitted to and approved in writing by the Council. The Plan shall be prepared in accordance with <i>Guidance on the Assessment of Dust from Demolition and Construction</i> (Institute of Air Quality Management, 2014).</p> <p>All development works thereafter must be in accordance with the approved Dust Management Plan.</p> <p>Reason: In the interests of human health and amenity.</p>
11.17	<p>Following site clearance works and prior to commencement of the erection of the development hereby approved, a Contaminated Land Risk Assessment shall be submitted in writing to and approved by the Council. The Quantitative Risk Assessment should consider the information presented in the O'Sullivan Macfarlane Ltd report entitled '<i>O'Toole and Starkey, Redevelopment, Partial Refurbishment and Change of Use of Building, 35-39 Queen Street Belfast and Demolition and Redevelopment of site 31-33 Queen Street Belfast, P768 Phase 1 Preliminary Risk Assessment (PRA)</i>' (dated 19th November 2020). The Quantitative Risk Assessment must be conducted in accordance with Environment Agency guidance and must incorporate:</p> <ul style="list-style-type: none"> <li>- A detailed site investigation in line with BS 10175:2011+A2:2017. Any ground gas investigations should be conducted in line with BS 8576:2013 and BS 8485:2015+A1:2019.</li> <li>- A satisfactory assessment of the risks (including a Revised Conceptual Site Model), conducted in accordance with Environment Agency guidance. Risks associated with ground gases should be assessed under the methodology outlined in BS8485:2015+A1:2019 and CIRIA C665.</li> </ul> <p>Based on the outcome of this risk assessment, a Remediation Strategy may be required. If necessary, this Strategy must demonstrate how the identified contaminant linkages are to be demonstrably broken and no longer pose a potential risk to human health. It must also detail how the proposed remedial works are to be verified. If required, the Remediation Strategy must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance.</p> <p>All construction thereafter must be in accordance with the approved Remediation Strategy.</p> <p>Reason: Protection of human health.</p>
11.18	<p>In the event that a Remediation Strategy is required, prior to occupation of the development a Verification Report shall be submitted to and agreed in writing by the Council, in order to demonstrate that any required remedial measures have been</p>

<p>11.19</p> <p>11.20</p>	<p>incorporated within the proposal. The Verification Report must be in accordance with Environment Agency guidance, British Standards and CIRIA industry guidance. It must demonstrate that the mitigation measures outlined in the agreed Remediation Strategy have been implemented and have broken the relevant contaminant linkages and that the site no longer poses a potential risk to human health.</p> <p>Reason: Protection of human health.</p> <p>If during the development works, new contamination or risks are encountered which have not previously been identified, works shall cease and the Council shall be notified immediately. This new contamination shall be fully investigated in accordance with best practice. In the event of unacceptable risks being identified, a Remediation Strategy and subsequent Verification Report shall be agreed with the Council in writing, prior to the development being occupied. If required, the Verification Report shall be completed by competent persons in accordance with best practice and must demonstrate that the remediation measures have been implemented and that the site is now fit for end-use.</p> <p>Reason: Protection of human health.</p> <p>No development shall commence on site until details of wastewater disposal have been submitted to and approved in writing by the Council. The development shall not be carried out unless in accordance with the approved details.</p> <p>Reason: To ensure appropriate foul drainage of the site.</p>
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**ANNEX**

<b>Date Valid</b>	17th February 2021
17th February 2021	26th February 2021
<b>Date Last Advertised</b>	

**Details of Neighbour Notification** (all addresses)

The Owner/Occupier:

1 Queen Street, Belfast, Antrim, BT1 6EA  
 10 Albert Street, Belfast, Antrim, BT12 4HQ  
 10 College Avenue, Belfast, Antrim, BT1 6DS  
 10 College Court, Belfast, Antrim, BT1 6BS  
 10 Queen Street, Belfast, Antrim, BT1 6ED  
 10 Queen Street, Belfast, Antrim, BT1 6ED  
 12 College Court, Belfast, Antrim, BT1 6BS  
 12 Queen Street, Belfast, Antrim, BT1 6ED  
 13b Fountain Centre, College Street, Belfast, Antrim, BT1 6ET  
 13b Fountain Centre, College Street, Belfast, Antrim, BT1 6ET  
 13b Fountain Centre, College Street, Belfast, Antrim, BT1 6ET  
 13b Fountain Centre, College Street, Belfast, Antrim, BT1 6ET  
 17 Queen Street, Belfast, Antrim, BT1 6EA  
 18 Queen Street, Belfast, Antrim, BT1 6EE  
 19 Queen Street, Belfast, Antrim, BT1 6EA  
 1st Floor, 37 Queen Street, Belfast, Antrim, BT1 6EA

21 Queen Street,Belfast,Antrim,BT1 6EA  
21-27 ,Queen Street,Belfast,Antrim,BT1 6EA  
28-30 ,College Street,Belfast,Antrim,BT1 6BT  
2nd Floor,31a ,Queen Street,Belfast,Antrim,BT1 6EA  
2nd Floor,37 Queen Street,Belfast,Antrim,BT1 6EA  
2nd Floor,37 Queen Street,Belfast,Antrim,BT1 6EA  
2nd Floor,37 Queen Street,Belfast,Antrim,BT1 6EA  
2nd-4th Floors,41 Queen Street,Belfast,Antrim,BT1 6EB  
31 Queen Street,Belfast,Antrim,BT1 6EA  
32 College Street,Belfast,Antrim,BT1 6BQ  
33 Queen Street,Belfast,Antrim,BT1 6EA  
33a ,Queen Street,Belfast,Antrim,BT1 6EA  
34 College Street,Belfast,Antrim,BT1 6DR  
35 College Street,Belfast,Antrim,BT1 6BU  
35 Queen Street,Belfast,Antrim,BT1 6EA  
37 Queen Street,Belfast,Antrim,BT1 6EA  
37-39 ,Queen Street,Belfast,Antrim,BT1 6EA  
38 Queen Street,Belfast,Antrim,BT1 6EF  
39 College Street,Belfast,Antrim,BT1 6BU  
3rd Floor Office 3a,37 Queen Street,Belfast,Antrim,BT1 6EA  
3rd Floor Office 3b,37 Queen Street,Belfast,Antrim,BT1 6EA  
3rd Floor,5 College Court,Belfast,Antrim,BT1 6BS  
40 Queen Street,Belfast,Antrim,BT1 6EF  
41 College Street,Belfast,Antrim,BT1 6BU  
41 Queen Street,Belfast,Antrim,BT1 6EB  
45 Queen Street,Belfast,Antrim,BT1 6EB  
45 Queen Street,Belfast,Antrim,BT1 6EB  
47-49 ,Queen Street,Belfast,Antrim,BT1 6EB  
49 Queen Street,Belfast,Antrim,BT1 6EB  
4th Floor Office 4.1,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.12,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.13,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.14,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.15,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.17,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.18,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.19,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.20,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.21,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.22,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.23,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.24,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.25,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.26,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.27,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.4,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.5,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Office 4.7,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Offices 4.8-4.10,37 Queen Street,Belfast,Antrim,BT1 6EA  
4th Floor Offices 4.9-4.11,37 Queen Street,Belfast,Antrim,BT1 6EA  
5 College Court,Belfast,Antrim,BT1 6BS

8 College Avenue,Belfast,Antrim,BT1 6DS  
Car Park 15,Queens House,14 Queen Street,Belfast,Antrim,  
Fountain Centre,Fountain Street,Belfast,Antrim,BT1 6ET  
Gd Floor,5 College Court,Belfast,Antrim,BT1 6BS  
Lyndon Court,30 Queen Street,Belfast,Antrim,BT1 6EF  
Lyndon Court,34 Queen Street,Belfast,Antrim,BT1 6EF  
Office 1 1st Floor,Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED  
Office 2 1st Floor,Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED  
Offices 2nd-5th Floor,Queens House,14 Queen Street,Belfast,Antrim,BT1 6ER  
Offices 3rd - 5th Floors,Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED  
Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED  
Queens House,14 Queen Street,Belfast,Antrim,BT1 6ED  
Second Floor,35 College Street,Belfast,Antrim,BT1 6BU  
Shop,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Shop,23-29 ,Queen Street,Belfast,Antrim,BT1 6EA  
Studios And Gallery (1st Floor),37 Queen Street,Belfast,Antrim,BT1 6EA  
Suite 1a,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Suite 1b,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Suite 2,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Suite 3,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6BT  
Suite 5,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Suite 6,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 1,5 College Court,Belfast,Antrim,BT1 6BS  
Unit 10,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 11,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 12,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 13,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 14,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 14a,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6EE  
Unit 15,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 16,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 17,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 18,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 19,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 20,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 21,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6EE  
Unit 22,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6EE  
Unit 22,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 23,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 24,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 3,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 4,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 5,Lyndon Court,Queen Street,Belfast,Antrim,BT1 6EF  
Unit 6,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit 6,Lyndon Court,Queen Street,Belfast,Antrim,BT1 6EF  
Unit 7,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ES  
Unit 8,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  
Unit A,Lyndon Court,30 Queen Street,Belfast,Antrim,BT1 6EF  
Unit B,32-38 Lyndon Court,Queen Street,Belfast,Antrim,BT1 6EF  
Unit C,Lyndon Court,30 Queen Street,Belfast,Antrim,BT1 3EF

<p>Unit C2 (Second Floor Offices),1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  Unit D,Lyndon Court,30 Queen Street,Belfast,Antrim,BT1 6EF  Unit E,Lyndon Court,30 Queen Street,Belfast,Antrim,BT1 6EF  Units 1-2,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  Units 19-20,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  Units 24-26,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6EE  Units 5-6,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET  Units 8-9,1-13 Fountain Centre,College Street,Belfast,Antrim,BT1 6ET</p>	
<b>Date of Last Neighbour Notification</b>	24th February 2021
<b>Date of EIA Determination</b>	N/A
<b>ES Requested</b>	No
<b>Planning History</b>	
<p>Ref ID: LA04/2019/2932/PAN  Proposal: Partial demolition and redevelopment and partial refurbishment and change of use of building at 35-39 Queen Street, and demolition of building and redevelopment of site at 31-33 Queen Street to provide ground floor restaurants/cafes and A2/B1 Offices.  Address: 31-39 Queen Street, Belfast, BT1 6EA,  Decision: PANACC  Decision Date: 19.12.2019  Ref ID: LA04/2019/0553/F  Proposal: Demolition of existing building and erection of 175 bed aparthotel with associated bar, restaurant and conferencing facilities and associated works.  Address: Land at Lyndon Court, 32-38 Queen Street Belfast, BT1 6EF.  Decision: Permission Granted  Decision Date: 05.12.2019</p>	
<p>Ref ID: Z/2013/1063/F  Proposal: Ten storey hotel comprising of 250 bedrooms, meeting rooms with bar and restaurant to ground floor. Nine storey open plan office building with retail on ground floor with underground car parking.  Address: 78 College Avenue, Belfast, BT1 6BU,  Decision: Permission Granted  Decision Date: 20.02.2015</p>	
<p>Ref ID: Z/2011/0967/F  Proposal: Erection of new street cabinet to facilitate provision of new fibre optic infrastructure across across the BT network. Cabinet dimensions approx 1128mm high 780mm wide 407mm deep  Address: On footpath 2m from College Street gable wall of Kellys Eye Club, 39 Queen Street, Belfast, BT1 6EB,  Decision: Permission Granted  Decision Date: 25.04.2012</p>	
<p>Ref ID: Z/1984/1894  Proposal: CHANGE OF USE FROM SHOP/FACTORY TO BINGO HALL</p>	

Address: 37-39 QUEEN STREET/33-35 COLLEGE STREET

Decision: Permission Granted

Decision Date:



## Development Management Officer Report Committee Application

<b>Summary</b>	
<b>Committee Meeting Date:</b> Tuesday 12 <sup>th</sup> April 2022	
<b>Application ID:</b> LA04/2021/2804/F	
<b>Proposal:</b> Installation of a 9m x 2.5m Shipping Container to Serve as a Storage Facility for Bikes, Project Equipment and Materials.	<b>Location:</b> Land adjacent to Connswater Community Centre Ballymacarrett Walkway Severn Street Belfast BT4 1SX
<b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (d) – BCC has an interest in the land.	
<b>Recommendation:</b>	<b>Temporary Approval</b>
<b>Applicant Name and Address:</b> Sustrans 2 Cathedral Square College Green Bristol BS1 5DD	<b>Agent Name and Address:</b> N/A
<b>Executive Summary:</b>  This proposal is for the installation of a 9m x 2.5m shipping container to serve as a storage facility for bikes, project equipment and materials.  The application site is located on a parcel of land under the ownership of Belfast City Council. The land is located adjacent to Connswater Community Centre, Ballymacarrett Walkway, Severn Street, Belfast.  The site is within a wider designation as an Area of Existing Open Space in the Belfast Metropolitan Area Plan 2015 (BMAP) and the 2004 version. The BUAP 2001 designates the site as un-zoned white land.  The area designated as an Area of Existing Open Space extends to 1.8ha. The proposed use is ancillary to the open space use, the site covers a small fraction of the area and is of a minor scale in context with the extensive Comber Greenway and open space in which it is located.  The key issues to be considered in this proposal are: - <ul style="list-style-type: none"> <li>• Design of the proposal and the Impact on Open Space and surrounding Character of the Area</li> <li>• Impact on Amenity</li> </ul> No third-party objections have been received, DFI Roads have responded with no objection to the proposal. The response from BCC Environmental Health Services is awaited, on the basis the proposal has no utilities and is for the storage of equipment it is not considered that the proposal presents any issues, it is anticipated a positive response will be forthcoming	

and amenity issues can be adequately addressed via conditions. Their response will be reported as an update to committee.

The site is near the CS Lewis Square, which was designated as white land and now provides a much-used public open space and acts as a vital linkage between the adjacent linear parks at Severn Street through to the Newtownards Road and the wider Comber Greenway.

The temporary use of a small area of unused land to facilitate a shipping container in the short term is considered acceptable and will not result in a negative impact on the provision of open and recreational space to the area.

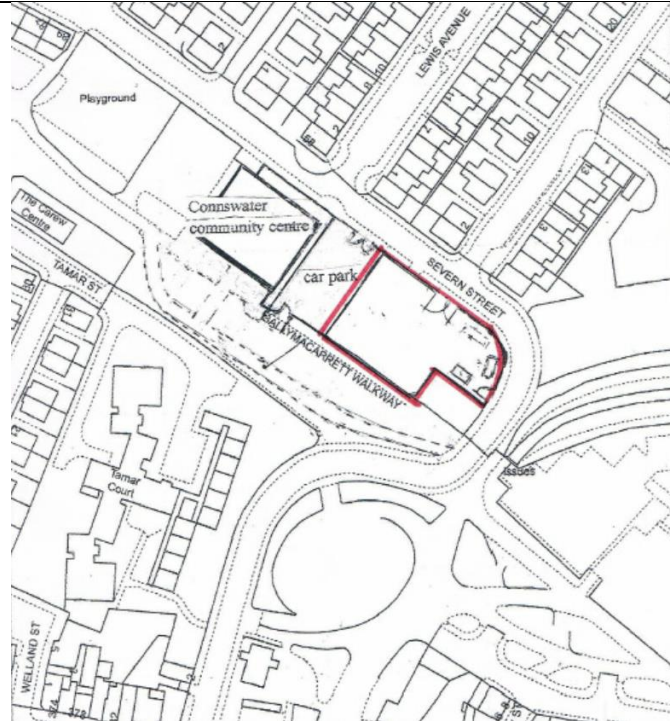
Given the nature, form, and materials of shipping containers, and the purpose of this container to store project materials and equipment, it is recommended that it is removed after a period of 2 years and a more permanent storage solution for the bikes, more fitting to the context is found.

**Recommendation: Temporary Approval for 2 years**

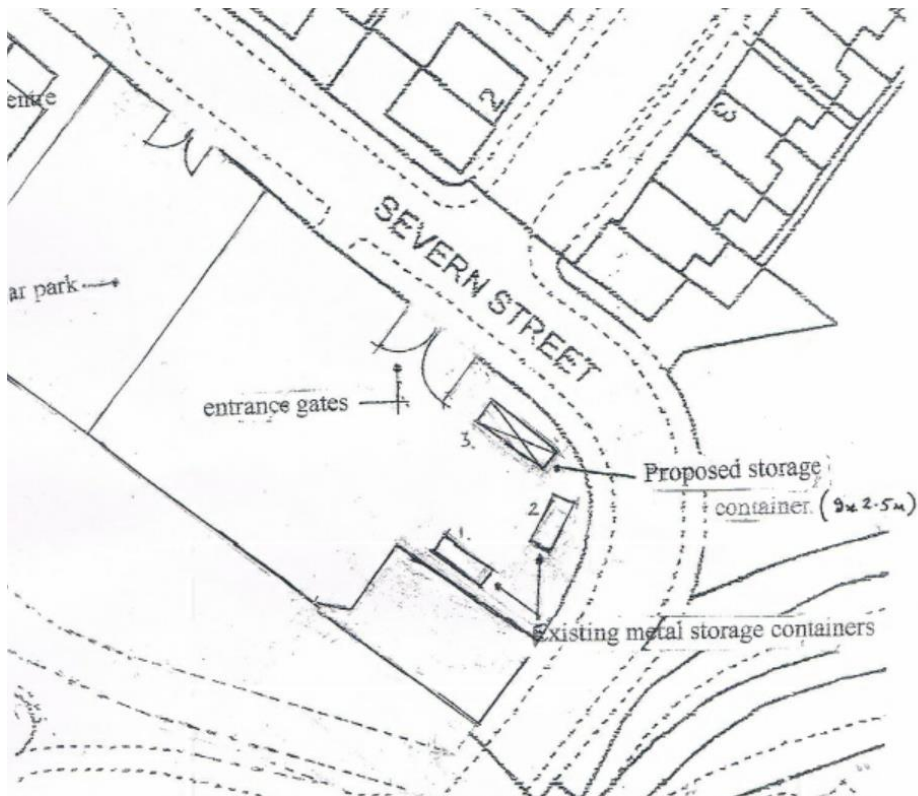
Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered on balance that the proposal should be approved. Planning permission is therefore recommended for approval for a temporary period of 2 years with delegated authority given to the Director of Planning and Building Control to finalise the wording of conditions.

## Case Officer Report

### Site Location Plan



### Block Plan



<b>Consultations:</b>		
<b>Consultation Type</b>	<b>Consultee</b>	<b>Response</b>
Statutory	DFI Roads – Hydebank	No objections
Non-Statutory	BCC Environmental Health	Awaiting Response
<b>Representations:</b>		
Letters of Support	None Received	
Letters of Objection	None Received	
Number of Support Petitions and signatures	No Petitions Received	
Number of Petitions of Objection and signatures	No Petitions Received	
<b>Summary of Issues</b>		
<p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Design of the proposal and the Impact on Open Space and surrounding Character of the Area</li> <li>• Impact on Amenity</li> </ul>		
<b>Characteristics of the Site and Area</b>		
<b>1.0 Description of the Proposed Development</b>		
<p>Planning permission is sought for the Installation of a 9m x 2.5m Shipping Container to Serve as a Storage Facility for Bikes, Project Equipment and Materials.</p>		
<b>2.0 Description of Site</b>		
<p>The site is located at lands adjacent to and south east of Ballymacarrett Community Centre, between Severn Street and Ballymacarrett Walkway, Belfast. The site is currently an area of hardstanding having been used previously to temporarily facilitate the wider works to the Greenway. The site is bounded by a metal palisade fence, approximately 2.4m.</p> <p>The site is designated as an area of Existing Open Space as outlined in dBMAP.</p> <p>The immediate area North of the site is residential, to the South of the site is CS Lewis Square used as public open space. The wider area is largely residential characterised by semi-detached dwellings, beyond that is commercial and retail with various other mixed-use facilities along the Newtownards Road.</p>		
<b>Planning Assessment of Policy and Other Material Considerations</b>		
<b>3.0 Site History</b>		
<p>LA04/2019/2990/F - Lands adjacent to and south east of Ballymacarrett Community Centre, between Severn Street and Ballymacarett Walkway, Belfast BT4 1SX - Change of Use of land from derelict hardstand to replacement car park, new access/egress via Severn Street and Boundary treatment – Permission Granted - 02.07.2020.</p> <p>Z/2008/0795/F - 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, &amp; lands in between. Also inc. lands extending from Beersbridge Rd to C -</p>		

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 Hollywood 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 – Granted.

#### **4.0 Policy Framework**

- Belfast Urban Area Plan 2001
- Draft Belfast Metropolitan Area Plan 2004 & 2015  
The extant Development Plan is 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. Given the advanced stage that Draft BMAP had reached including modification after independent examination, the most recent version of Draft BMAP is considered to hold significant weight
- Belfast Local Development Plan Draft Plan Strategy 2035  
The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 3: Access, Movement and Parking
- Planning Policy Statement 8: Open Space, Sport and Outdoor Recreation

#### **5.0 Statutory Consultations**

- Department for Infrastructure Roads Service (DFI) - No objections

#### **6.0 Non-Statutory Consultations**

- BCC Environmental Health Services – Awaiting Response

#### **7.0 Representations**

The application was neighbour notified and advertised in local press. No comments have been received.

#### **8.0 Other Material Considerations**

None

## 9.0 Assessment

9.1 The key issues to be considered are:

- Design of the proposal and the Impact on Open Space and surrounding Character of the Area
- Impact on Amenity

### **Design of the proposal and the Impact on Open Space and surrounding Character of the Area**

Planning permission is sought for the installation of a 9m x 2.5m shipping container to serve as a storage facility for bikes, project equipment and materials.

The existing site is an enclosed vacant parcel of land owned by Belfast City Council. The site is bound by a 2.4m metal palisade fencing. The site currently has hardstanding as its surfacing which will facilitate the shipping container. The site is accessed by a large gate opening onto Severn Street. Whilst the container is minor in size and will be contained within this enclosed area, its permanent retention would not be acceptable, as shipping containers are of a form and material that would be inappropriate in this designated open space location if retained permanently. If Committee is minded to approve, a condition is recommended to ensure removal after 2 years and a more permanent alternative storage solution should be found for the bikes to be stored.

The immediate area surrounding the site is characterised as largely residential with housing developments present North of the site and to the South. The site is near the CS Lewis Square, which was designated as white land and now provides a much-used public open space and acts as a vital linkage between the adjacent linear parks at Severn Street through to the Newtownards Road and the wider Comber Greenway.

Given the gain of Lewis Square in the immediate locality, the temporary use of a small area to facilitate a shipping container to store equipment and materials ancillary with recreational use in the short term, is considered to result in no detrimental impact on the provision of open and recreational space to the area.

Policy OS1 – Protection of Open Space applies to all areas of existing open space and states that the development will not be permitted if it would result in a loss of open space. It is considered that the proposal will not result in an overall loss of open space and will maintain and extend an existing recreational function through the operation of the charity Sustrans for necessary short term storage. The proposal is considered acceptable in principle as a temporary solution. The proposal complies with the development plan, SPPS and PPS8.

### **Impact on Amenity**

In respect of visual impact, the proposal seeks to install a shipping container on land comprising a derelict hardstanding area. There exists a boundary fence surrounding the site and a vehicular access point onto Severn Street. There are 2No smaller metal storage containers on the site which have been present since approximately 2019, these containers appear to be related to the ongoing construction associated with the Connswater Community Greenway and the new Walkway Community Centre.

The introduction of the proposed shipping container is not considered to cause an unacceptable impact on the visual amenity of the site or the residential amenity of neighbours. The proposal will not have any utilities connected and will be used for storage purposes for a temporary basis which will not result in unacceptable noise, nuisance, or disturbance to nearby residential properties.

The proposal is considered to comply with prevailing policy with respect to amenity.

**Other Considerations**

DFI Roads have been consulted on this application and have offered no objection.

**Neighbour Notification Checked:** Yes

**Summary of Recommendation:**

The proposed development is acceptable on a temporary basis, there will be no adverse impacts on residential amenity. No objections or representations have been received. Considering all relevant information, including current planning policy and previous relevant histories temporary approval is recommended.

It is recommended that planning permission is granted with delegated power given to the Director of Planning and Building Control to finalise conditions.

**Conditions:**

1. This approval is temporary for a period of 2 years from the date of this decision notice. The shipping container and all associated fittings must be removed within 4 weeks of the end date of this permission.

Reason: The structure proposed is of a temporary form and material that would impact the site and area if retained permanently.

<b>ANNEX</b>	
<b>Date Valid</b>	14 <sup>th</sup> February 2022
<b>Date First Advertised</b>	25 <sup>th</sup> February 2022
<b>Details of Neighbour Notification</b> (all addresses)	
The Owner/Occupier, 1 Lewis Avenue,Belfast,Down,BT4 1FD	
The Owner/Occupier, 1 Lewis Park,Belfast,Down,BT4 1FE	
The Owner/Occupier, 2 Lewis Park,Belfast,Down,BT4 1FE	
The Owner/Occupier, 60 Severn Street,Belfast,Down,BT4 1FB	
The Owner/Occupier, 62 Severn Street,Belfast,Down,BT4 1FB	
The Owner/Occupier, 64 Severn Street,Belfast,Down,BT4 1FB	
The Owner/Occupier, Ballymacarrett Leisure Centre,1 Ballymacarrett Walkway,Belfast,Down,BT4 1SX	
The Owner/Occupier, Lewis Park,Belfast,Down	
<b>Date of Last Neighbour Notification</b>	21 <sup>st</sup> February 2022
<b>Notification to Department:</b> N/A	

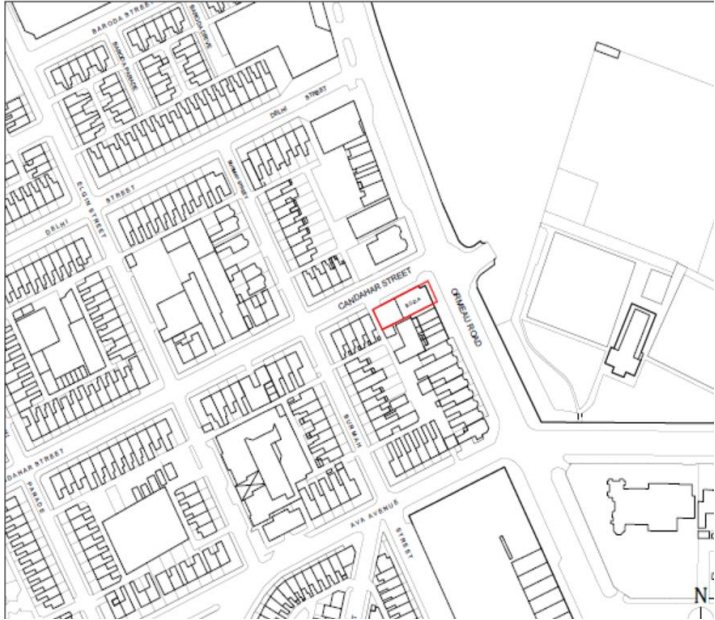


## Committee Report

<b>Development Management Report</b>	
<b>Application ID:</b> LA04/2021/2879/F	<b>Date of Committee:</b> Tuesday 12th April 2022
<b>Proposal:</b> Retractable awning installed to fascia of existing building.	<b>Location:</b> Ballynafeigh Community Development Association 283 Ormeau Road Belfast BT7 3GG
<b>Referral Route:</b> Referral to the Planning Committee under Section 3.8.5 (d) Subject to council funding.	
<b>Recommendation:</b>	Approval
<b>Applicant Name and Address:</b> B C D A 283 Ormeau Road Belfast BT7 3GG	<b>Agent Name and Address:</b> OGU Architects Flax Art Studios Havelock House Belfast BT7 1EB
<p><b>Executive Summary:</b> The proposal is a mounted retractable awning installed to fascia of community building.</p> <p><b>Area Plan</b> The proposed site is situated on the Ormeau Road and is designated as existing commerce in Draft BMAP. The site is also within a Draft Area of Townscape Character. (BT 062)</p> <p>The key issues to be considered are:</p> <ul style="list-style-type: none"> <li>• Design / Impact on character and appearance</li> <li>• Amenity</li> <li>• Public Safety</li> </ul> <p>The proposed awning and materials are considered in keeping with the shopfront of the existing building and the commercial character of the area including the draft ATC. The proposal will not negatively impact the amenity of neighbouring properties and will not prejudice public safety.</p> <p>DFI Roads were consulted and had no objections.</p> <p>No representations have been received.</p> <p>Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved.</p> <p><b>Recommendation - Approve subject to conditions</b> It is recommended that the application is approved and it is requested that delegated authority be given to the Director of Planning and Building Control to finalise the wording of conditions</p>	

# Case Officer Report

## Site Location Plan



## Elevations





<b>Characteristics of the Site and Area</b>	
<b>1.0</b>	<p><b>Description of Proposed Development</b>            Awning attached to Fascia of existing building</p> <p>The application is for a mechanical awning at the west facing front elevation of the property. The application site is a three-storey corner site which is currently occupied by a community development association. It will project from below the fascia board, from a height of approximately 2.3m and a depth of 2.1m. It will cover an area in front of the property of 8.1m. The box will be powder coated aluminium with the awning an acrylic waterproof fabric.</p>
<b>2.0</b>	<p><b>Description of Site</b>            The site is located on the Ormeau Road at the corner with Candahar Street. The application site is currently used as a community building by Ballynafeigh Community Development Association. The character in the area is a mix of older traditional properties of 2/3 stories to modern properties with 2 stories. The surrounding area is a mix of commercial use with residential properties located off the Ormeau Road.</p>
<b>Planning Assessment of Policy and other Material Considerations</b>	
<b>3.0</b>	<p><b>Site History</b>            Z/1992/0937 - Change of use from lounge bar to community Resource Centre – 283 Ormeau Road- Granted.            Z/1993/0130 - Extension to resource centre and external alterations – 283 Ormeau Road – Granted.</p>
<b>4.0</b>	<p><b>Policy Framework</b></p>

4.1	Belfast Urban Area Plan 2001
4.2	Draft Belfast Metropolitan Area Plan 2004
4.3	Draft Belfast Metropolitan Area Plan 2015 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.
4.4	Belfast Local Development Plan Draft Plan Strategy 2035 The Belfast Local Development Plan Draft Plan Strategy 2035 will guide future planning application decision making to support the sustainable spatial growth of the city up to 2035. The draft Plan Strategy has been subject to examination by the Planning Appeals Commission and the Council has been provided with a copy of their Report, together with a Direction from the Department for Infrastructure in relation to additional required steps before it can be adopted. Paragraph 1.10 of the Strategic Planning Policy Statement (SPPS) states that a transitional period will operate until such times as a Council's Plan Strategy has been adopted. Accordingly, whilst the Draft Plan Strategy is now a material consideration it has limited weight until it is adopted and during this transitional period existing policies will be applied including the SPPS and relevant PPSs.
4.5	Strategic Planning Policy Statement for Northern Ireland (SPPS)
<b>5.0</b>	<b>Statutory Consultees Responses</b> DFI Roads- No objections
<b>6.0</b>	<b>Non Statutory Consultees Responses</b> None
<b>7.0</b>	<b>Representations</b>  No representations were received.
<b>8.0</b>	<b>Other Material Considerations</b> None
8.1	<b>Any other supplementary guidance</b> None
<b>9.0</b>	<b>Assessment</b>
9.1	The proposal is considered to be in compliance with the development plan.
9.2	Assessment  The key issues to be considered are: <ul style="list-style-type: none"> <li>• Design / Impact on Character and Appearance</li> <li>• Amenity</li> <li>• Public Safety</li> </ul> <p>It is considered that the proposal is in compliance with SPPS in that the proposed development will not cause demonstrable harm to interest of acknowledged importance which are considered below.</p>

	<p><b>Design / Impact on Character and Appearance</b></p> <p>The proposal is considered to be in compliance with paragraphs 4.23 - 4.30 within the SPPS which seeks to ensure good design. The proposed awning and materials are considered in keeping with the shopfront of the existing building and the commercial character of the area including the draft ATC.</p> <p><b>Amenity</b></p> <p>Paragraphs 4.11 – 4.12 of the SPPS set out the considerations to safeguard residential and work environs. It is deemed that this proposal would not result in demonstrable harm to the residential amenity of neighbours. The awning will provide shelter from the weather for customers and passers-by. The proposal will not block light or cause over dominance in the area. There is another awning at 285 Ormeau Road and it is in keeping with the commercial nature of this part of the Ormeau Road.</p> <p>The awning is not considered to negatively impact the amenity of neighbouring properties.</p> <p><b>Public Safety</b></p> <p>There will be no issue of reduced sight lines for traffic in the area and pedestrian movement will not be affected. DFI Roads were consulted and had no concerns.</p>
9.3	Having regard for the policy context and the considerations above, the proposal is deemed acceptable.
<b>10.0</b>	<b>Summary of Recommendation: Approval</b>
<b>11.0</b>	<p><b>Conditions</b></p> <p>1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.</p> <p>Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</p> <p><b>Informatives</b></p> <p>1. The drawing refs referred to above correspond with those drawings submitted to the Authority in respect of this application and published to the Planning Portal NI on: 04/01/2022, drawing nos. 01,02, 31/03/2022, drawing no 03.</p>
<b>Notification to Department (if relevant): No</b>	
<b>Representations from Elected members: None</b>	

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