

Planning Committee

Tuesday, 15th August, 2023

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Anglin, Bell, Bradley, T. Brooks,
Carson, Doherty, P. Donnelly, S. Douglas, Doran,
Ferguson, Groogan, Hanvey, Maskey, McCann and
Nic Bhranair.

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

Apologies

An apology for inability to attend was reported on behalf of Councillor Whyte.

Minutes

The minutes of the meeting of 20th June, 2023 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 3rd July, 2023, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Doherty declared an interest in relation to item 9b on the agenda, under the heading LA04/2023/2640/F- Front porch extension, Two storey extension to side and rear. Internal alterations and External alterations including change in roof materials, and related to energy efficiency improvements – Air Source Heat Pump, Solar PV panels, triple glazing and external wall insulation with rendered finish (amended description), 30 Dorchester Park, in that he was acquainted with one of the parties, and he left the meeting while the item was under consideration.

Committee Site Visit

The Committee noted the Committee site visits.

**Notifications from Statutory Bodies, Abandonment
and Extinguishment**

**Abandonment at Great Patrick Street,
Extinguishment Bullring Pathway**

The Committee noted and endorsed the concerns expressed by officers on the proposed abandonment.

Notification of proposed Listed Buildings

The Committee endorsed the listing of the undernoted properties:

- 137 Cavehill Road; and
- Belfast Electric Light Station, 6 Chapel Lane (and 9-13 Marquis Street).

Provision of Accessible Parking Bay

The Committee noted the notices of provision of accessible parking bays at the following locations:

- 34 Knocknagoney Avenue;
- 17 Glanane Drive;
- 54 Fairhill Walk;
- 173 Donegal Avenue;
- 8 Coombe Hill Park;
- Hesketh Park; and

The Committee noted the notice of removal of an accessible parking bay at 8 Canada Street.

Appeals

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued between 1st and 30th June, 2023.

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 following item 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.

Quarter 4 Finance Report 2022/23

The Director of Planning and Building Control provided the Committee with an overview of the report.

The Committee noted the content of the report.

Miscellaneous Items

Delegation of Local Applications with NI Water Objections

The Committee agreed to delegate authority to the Director of Planning and Building Control, those Local planning applications to which NI Water had objected.

Planning Notice of Motions Annual Update

The Committee noted the update.

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

Planning Applications previously deferred

LA04/2022/1861/F- Replacement facade to active facade to facilitate the display of internally illuminated moving images (Temporary Permission for 5 years)
1- 3 Arthur Street

The Planning Manager provided the Committee with an overview of the application and pointed out that DfI Historic Environment Division had advised that the proposal would not respect the character of the setting of the surrounding listed buildings and would create a competing focus to the listed buildings which form the attractive historic perimeter of Arthur Square.

He reported that the Council's Conservation Officer had stated that the proposal was contrary to policy for advertisements in conservation areas and had a massive scale in relation to the proposed host building, therefore, would have a harmful effect on the character, appearance and visual amenity of the conservation area.

He outlined to the Committee the reasons why officers were recommending that the proposal would be refused.

The Chairperson welcomed Mr. J. Stevenson, Open Media, Mr. A. Carleton, Alterity Investments, and Mr. M. Worthington, Pragma Planning, to the meeting.

Mr. Worthington explained that the proposal was for a temporary permission for a period of five years to allow any impact of the proposal to be assessed. He stated that the proposal included a provision to provide airtime to the Council at no charge and also a Section 76 agreement specifically for the creation of digital content about the conservation area and listed buildings in the vicinity, and it was hoped that the active façade would not compete with, but rather direct viewers to the surrounding historic environment.

Mr. Carleton of Alterity Investments, the applicant, explained that Alterity Investments was a local private company which had invested in Belfast for over 50 years and created incomes to fund its own charitable trust which donated up to fifty percent of surplus income annually to small local charities and had donated more than £4.5 million since 2018, and were anticipating donating more than £1 million in 2023.

He outlined the potential benefits of installation of the screen, that included free airtime for the Council on open media screens across the UK.

The representatives asserted that the proposed screen would only be seen by less than one percent of the conservation area's footprint and would not obscure any element of a listed building.

Proposal

Moved by Alderman McCullough,
Seconded by Councillor Doran,

"That consideration of the application is deferred to allow for further engagement between the applicant and officers."

On a vote fifteen Members voted for the proposal and four against and it was declared carried.

(Councillor Doherty left the meeting while the following item was under consideration)

LA04/2023/2640/F- Front porch extension.
Two storey extension to side and rear.
Internal alterations and External alterations
including change in roof materials, and
related to energy efficiency improvements –
Air Source Heat Pump, Solar PV panels,
triple glazing and external wall insulation
with rendered finish (amended description),
30 Dorchester Park

The Planning Manager outlined the application to the Committee and pointed out that the objector, from a neighbouring property, had submitted a further letter of objection and had directly contacted the Members of the Committee to make further representations.

He reported that the proposal had originally included the widening of the access and alterations to the boundary wall, however, the applicant had confirmed in writing that those elements of the proposal had been withdrawn and amended plans to show their removal would be submitted in due course, and that the recommendation of approval was subject to the receipt of the amended plans.

He explained that the application was compliant with the Supplementary Planning Guidance (SPG) and that, having regard to the development plan, the concerns raised through representations and other material considerations, the proposal had been considered acceptable on balance and it was recommended that planning permission was granted, subject to conditions.

The Chairperson welcomed Ms. J. Magill, and Mr. M. Worthington, Pragma Planning, to the meeting, on behalf of the objector.

Mr. Worthington stated that the SPG was a material consideration in accordance with the Local Development Plan and he outlined to the Committee how the application did not meet the SPG and should be refused.

Ms. Magill, the daughter of the neighbouring objector, stated that would be happy for her neighbour to extend his house but objects to the proposal to be built along her boundary.

She explained that the architect's report illustrated how the foundations of her mother's property were likely to be compromised by the proposal. She added that the one metre offset within the planning policy was not a grey area and must be complied with.

She stated that there were no clear reasons provided as to why the SPG should be set aside and planning permission granted.

The Chairperson welcomed Mr. G. Colleary, the applicant, and Ms. D. Kyle, Turley, to the meeting.

Mr. Colleary explained that, since the application had been submitted, various amended plans had been submitted to address any issues which had been identified by officers and concerns from third parties, that included a change to the materials, size, scale and mass of the proposal.

He stated that he had actively tried to minimise the effect on neighbouring properties and had consulted with an engineer, who had advised him that external insulation on the walls of the existing building and proposed extension was the most efficient way to improve the energy efficiency of the property. He added that he planned to install solar panels and a battery pack to make the property as close to energy neutral as possible.

Ms. Kyle reported that the design, scale and massing of the proposal was considered proportionate to the host property and site plot and that it respected the character of the wider area.

She stated that the applicant acknowledged the concerns from third parties that related to the amenity, loss of light and privacy, however, the officer's assessment balanced all the issues against relevant policy and guidance.

She concluded by stating that the proposal was reflective of the scale, mass and design of other properties along the Dorchester Park streetscene and was appropriate to the host plot.

The Committee approved the application with conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and to deal with any other matters that may arise (subject to the receipt of amended plans which remove the original proposed alterations to the access and boundary wall).

LA04/2022/0129/F- Proposed social housing residential development comprising 122 residential dwellings, pedestrian and cycle ways, public open space, children's play area, landscaping (including 8 metre landscaped buffer to western boundary), boundary treatments, parking, access (provision of a right turn lane) and ancillary site works. Lands north of 14 Mill Race and 15 Belfield Heights and south of 2-15 St Gerard's Manor, Ballymurphy

The Planning Manager outlined the application to the Committee and reported that DfI Roads and DfI Rivers final consultations remained outstanding.

He pointed out that DfI roads had raised a late issue with regard to the possible need for a Vehicle Restraint System which the applicant had asserted would be a very costly and potentially visually unappealing and had proposed bollard to provide adequate containment for accidental errant vehicles.

He added that the applicant had submitted a risk assessment to DfI Roads, which was content with the revised mitigation of a boundary fence with concrete posts located at 1.5 metre centres at the rear of the cycleway/footway.

The Committee granted planning permission and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and Section 76 planning agreement, and to liaise with DfI Roads and Rivers to resolve any issue that may arise from the consultation responses and deal with any other matters.

New Planning Applications

LA04/2023/3537/F and LA04/2023/3538/LBC – Installation of two number bronze statues on the grounds of Belfast City Hall.

The Principal Planning Officer provided the Committee with an overview of the application and highlighted the following key areas:

- The principle of the development at this location; and
- Impact on the curtilage of a listed building.

The Committee granted planning permission, subject to conditions, and delegated authority to the Director of Planning and Building Control to finalise the conditions and deal with any other matters that may arise.

LA04/2023/2430/RM - Application for approval of reserved matters for a medical facility in accordance with outline planning permission LA04/2020/0845/O, seeking approval of layout, scale, appearance and landscaping details. Land at Kings Hall and RUAS site south of Upper Lisburn Road/ Balmoral Avenue, west of Harberton Park and North East of Balmoral Golf Club

The Planning Manager provided the Committee with a summary of the request for approval of the following reserved matters for Plot 9:

- siting;
- design: including height, scale, massing, form of buildings and floor plans;
- external appearance;
- means of access; and
- landscaping.

He reported that it was recommended that the application was approved as it complied with the conditions of the Outline Planning Approval and was compliant with the approved Design Code and Parameters Plan.

The Committee granted the reserved matters application, subject to conditions and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other matters that may arise.

LA04/2021/2772/F - Upgrading of sports facilities to include construction of new clubhouse changing room block, new floodlighting fencing and ball stops, 2 no spectator grandstands (206 persons per stand), 3G goalkeeper training area, dug- outs, turnstiles, associated maintenance infrastructure, landscaping, and parking facilities, Clarendon Playing Fields

The Principal Planning Officer outlined the application to the Committee and reported that since the report had been published, Environmental Health had responded indicating that it had no objection to the application, subject to conditions.

She stated that one further objection had been received with regards to roads and access, and that those issues had already been considered in the case officer report.

She reported that officers were recommending that the application be approved on the basis that it was compliant with relevant policy considerations, there had been three objections which had been considered and statutory consultees had been content, subject to conditions.

Following discussion relating to the materials used in the construction of 3G surfaces, agreed that a report would be brought back, that would outline the Members' responsibilities and considerations in relation to the materials used to build and maintain 3G pitches, that would include Shared Environmental Services' position on 3G pitches.

The Committee granted planning permission and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions and deal with any other issues that may arise.

Issue raised in advance by Member

That the Committee invite Conor McKinney of Wild Belfast to a future meeting of the Committee to discuss biodiversity and COP15 ambitions – Councillor Groogan.

The Committee agreed that a schedule of presentations/deputations would be compiled at its Workshop, scheduled to take place on 17th August, 2023.

Chairperson