

Planning Committee

Tuesday, 19th September, 2023

HYBRID MEETING OF THE PLANNING COMMITTEE

- Members present: Councillor Garrett (Chairperson);
Aldermen Lawlor and McCullough;
Councillors Anglin, Bell, Bradley, T. Brooks,
Carson, Doherty, P. Donnelly, Ferguson,
Groogan, Maskey, McCann,
Nic Bhranair and Whyte.
- In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, City Solicitor;
Mr. E. Baker, Planning Manager (Development
Management);
Mr. K. Sutherland, Planning Manager (Plans and Policy);
Ms. C. Reville, Principal Planning Officer;
Mr. D. O’Kane, Principal Planning Officer;
Mr. N. Hasson, Senior Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from Councillors Doran, Douglas and Hanvey.

Minutes

The minutes of the meeting of 29th June, 1st and 15th August, 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 4th September, 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 Whyte declared an interest in relation to item 8d – LA04/2021/1447/F, 28-house development (social housing) including provision of new access, below ground pumping station, open space and landscape, Lands NE of 265 Whiterock Road, on the basis that he had previously worked with Radius Housing and left the meeting while the item was being considered.

Notifications from Statutory Bodies, Abandonment, Extinguishment and Vesting Orders

The Committee noted the notice of intention to vest land at Woodbourne Crescent and the extinguishment of a Public Right of Way for the pathway at Maureen Sheehan Centre.

Provision of Accessible Parking Bay

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

- 92 Disraeli Street;
- 9 Knock Link; and
- 7 Adelaide Avenue.

Appeals

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued between 1st and 31st August, 2023.

Miscellaneous Reports

Building Control Consultation Response

The Director of Planning and Building Control reported that the Buildings and Standards Branch of the Department of Finance (DoF) had sought the views of Council on its proposals to amend the Building Regulations (Northern Ireland) 2012 (as amended).

She outlined the application of the building regulations and stated that DoF was committed to considering the recommendations of the Grenfell Tower Inquiry and that some of the changes proposed focused on those recommendations where the inquiry called for changes.

She explained that the proposals mainly related to fire safety changes in buildings that contained flats, to provide assurance and additional safety measures to residents, and that other changes had been aimed specifically at assisting the Fire and Rescue Services to ensure they could provide an effective operational response.

The Director of Planning and Building Control outlined the proposed changes to the Committee and reported that the Building Control Service had reviewed the consultation proposals in detail in the proposed response on behalf of the Council.

The Committee endorsed the consultation response to the Department of Finance on proposed amendments to the Building Regulations (Northern Ireland) 2012.

Local Development Plan Enforcement Strategy

The Principal Planning Officer referred the Committee to the new Belfast Enforcement Strategy (BES) and explained how it set out how the Council would deal with complaints relating to breaches of planning control to protect the integrity of the development management process by taking effective action against unauthorised development.

He reported that the BES identified local priorities for enforcement action and provided greater clarity on the approach to planning enforcement for all parties engaged in the development process.

He explained that the overarching principle was the protection of communities, natural habitats and built heritage from unauthorised development that would cause harm or had shown a disregard for the planning system.

He outlined the following key objectives of the Belfast Enforcement Strategy:

- To bring unauthorised activity under control;
- To remedy the undesirable effects of unauthorised development, including, where necessary, the removal of unacceptable building works and the cessation of unacceptable uses; and
- To take legal action, where necessary, against those who ignore or flout planning legislation.

The Committee noted the report and agreed to hold a workshop on the new Belfast Enforcement Strategy.

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)

(The Committee agreed to consider the following two items together)

LA04/2020/1901/F and 1899/LBC - Internal refurbishment works to existing listed building and retention and reconfiguration of existing office and ancillary floorspace across ground, first and second floors; Provision of ground floor extension with internal mezzanine floor; Partial demolition and reconstruction to third floor (attic) to provide new stairwell and lifts; External alterations to existing building including provision of dormers and rooflights; External layout reconfigurations to include construction of new access from Ormeau Road, amended parking layout, provision of cycle parking, bin store, substation and associated works. (Amended description and drawings), Former Good Shepherd Centre at lands at Nos 511 and 511a Ormeau Road; and

LA04/2022/1677/F - Change of use from artist's studio space (sui generis) at second floor of existing Good Shepherd Centre to office accommodation (Class B1). Former Good Shepherd Centre at lands at Nos. 511 and 511a Ormeau Road, Belfast BT7 3GS.

The Senior Planning Officer outlined the applications to the Committee and highlighted the following key issues for consideration:

- Principle of office development;
- Impact on the Listed Building;
- Impact on Residential Amenity;
- Access, road safety and parking;
- Impact on Trees; and
- Other environmental considerations.

He pointed out to the Committee that, since the report had been published, the Listed Building Consent application in relation to LA04/2022/1679/LBC had been withdrawn as the proposed works had already been covered within LA04/2020/1899/LBC. He also stated that a consultation response from the Council's Tree Officer had been received which raised concerns with regard to the impact on existing protected trees from construction of the new access but was content with the proposed tree removal.

He explained that the application site was located directly adjacent to the Ormeau Road arterial route and that the proposed access had been amended from the original proposal, to come directly from the Ormeau Road as opposed to the Carolan Road, which had attracted a considerable number of objections. He stated that DfI Roads had offered no objection to the amended proposal, subject to conditions.

He reported that, with respect to LA04/2020/1901/F, the Council had received 121 objections and, for LA04/2020/1899/LBC, the Council had received six objections which raised issues that related to transport, access, parking, trees, environment, principle of development, existing office use, built heritage, residential amenity, working patterns and procedural matters. He added that there had been no objections received in relation to LA04/2022/1677/F.

He stated that the proposal would secure the building's upkeep and survival and preserve the character, architectural and historic interest of the building.

The Committee granted planning permission and Listed Building Consent in relation to LA04/2020/1901/F, LA04/2020/1899/LBC and LA04/2022/1677/F, subject to conditions, that would include a condition that the Belfast Bikes station, located on the Ormeau Road, be extended to accommodate an increase in usage from employees located at the application site.

The Committee delegated authority to the Director of Planning and Building Control to finalise the wording of conditions and deal with any other issues that may arise, including outstanding consultations.

LA04/2021/1808/F - Proposed 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 and speed cushions to improve road safety along Lagmore View Road, and all associated site works. 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, Belfast

The Planning Manager provided the Committee with an overview of the application that included site photographs, layout, previous approval, elevations and sections. He highlighted the following key issues in the assessment of the application:

- Principle of Development (including Loss of Open Space);
- Layout, scale and design;
- Traffic, Movement and Parking;
- Private Amenity Provision;
- New Open Space Provision;
- Impact on Amenity;
- Affordable Housing Provision;
- Drainage and Flooding;
- Other Environmental Matters;
- Impact on existing Electrical Infrastructure;
- Section 76 planning agreement; and
- Pre-application Community Consultation.

He explained that DfI had acknowledged that the current road arrangement was not ideal and that a road safety audit had been carried out of the existing Lagmore View Road and that the proposal included a realignment with speed cushions at an estimated cost of £200K.

He pointed out that two letters of objection had been received in relation to road safety measures and increased traffic, which had been addressed by officers, and that two letters of support from a local residents' association had been received that highlighted the positive engagement between the developer and the local community.

The Committee granted planning permission and delegated authority to the Director of Planning and Building Control to finalise the wording of conditions and Section 76 planning agreement, that would include the requirement to secure three of the units as affordable housing, and to deal with any other issues that may arise from outstanding consultations.

(Councillor Whyte left the meeting while the following item was being considered)

LA04/2021/1447/F - 28 house development (social housing) including provision of new access, below ground pumping station, open space and landscape, Lands NE of 265 Whiterock Road

The Principal Planning Officer outlined the application to the Committee and highlighted the following key issues:

- Principle of development;
- Affordable housing and Housing Mix;
- Accessible and adaptable accommodation;
- Design, layout and impact on the character and appearance of the area;
- Climate change;
- Access and parking;
- Drainage;
- Waste-water infrastructure;
- Ecological Impacts;
- Archaeology & built heritage; and
- Noise, odour, and other environmental impacts including contamination.

She pointed out that 117 letters of objection had been received, and that the main issues related to the loss to the community of a valued outdoor environmental amenity area and concerns related to traffic safety and congestion.

She stated that, having considered all matters, there was a clear and pressing unmet social need in the local area, therefore, the proposal was considered, on balance, to be acceptable and it was recommended that planning permission would be granted.

The Committee granted planning permission, subject to conditions, and delegated authority to the Director of Planning and Building Control to finalise the wording of the conditions.

(Councillor Whyte returned to the meeting.)

LA04/2021/2811/F and/ or LA04/2021/2488/F- Application under section 54 of the Planning Act (NI) in respect of planning permission LA04/2016/1276/F (community centre and associated site works) to vary condition No.6 (seeking to remove requirement for archaeological works set out in the approved programme of works to be implemented prior to commencement of any site works or development). Corner site between Mayo Street and Mayo Link, off Lanark Way, Shankill Road

The Planning Manager outlined the application to the Committee and reported that Department for Infrastructure had no objection to the variation and that it had been recommended that approval be granted.

The Committee granted planning permission, subject to 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 which may arise.

LA04/2023/3787/LBC - Proposed demolition of lean-to external store. 2 Royal Avenue, Belfast, BT1 1DA

The Principal Planning Officer informed the Committee that, due to a technical administrative error, Listed Building Consent, with the recommended conditions, had been incorrectly issued on 14th September, 2023 and the agent had received the decision notice.

The City Solicitor explained that, even though the decision notice had been issued, the application had to be considered by the Committee, and that the Committee's decision would determine the officers' next steps.

The Principal Planning Officer outlined the application to the Committee and highlighted key areas for consideration, that included the impact on the Listed Building and the Conservation Area.

She concluded by stating that, having regard to the development plan and other material considerations, the proposal was considered acceptable and that it was recommended that Listed Building Consent would be granted, subject to conditions.

The Committee requested that a report would be brought back on the technical issues related to the issuing of the consent.

The Committee granted listed building consent, subject to conditions, and delegated authority to the Director of Planning and Building Control to deal with any matters which may arise following expiry of the advertisement period.

**LA04/2022/0129/F - (Reconsidered item)
Amended Proposal: 2.4m wall to rear of all proposed properties backing onto Dermot Hill Housing Development. Proposed social housing led mixed tenure 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 Gerards Manor**

The Planning Manager outlined the application to the Committee and explained that the proposal had previously been approved by the Committee in February, June and August, 2023, and that final consultation responses from DfI Roads and DfI Rivers had been outstanding.

He reported that DfI Roads had provided a response and offered no objection to the proposal, subject to conditions and that a response had also been received from DfI Rivers which had objected to the proposal on the ground that a portion of the site was in a climate change flood plain and therefore the proposal was contrary to Policy ENV4 of the Plan Strategy, however, he explained that DfI Rivers had since confirmed that its response had been advice, rather than an objection.

He outlined DfI Rivers' advice to the Committee, which noted that parts of the northern and southern ends of the site were at risk of flooding from the adjacent Mill Race, when allowance was made for climate change and that the applicant had provided a plan showing ten dwellings affected to the south and 24 dwellings to the north.

He explained how officers had applied the relevant policies and highlighted that the application was accompanied by a Flood Risk Assessment and that a suitable Flood Management Plan and a range of flood resilience measures could be secured by condition.

He concluded by stating that it was recommended that the application would be approved with conditions and subject to a Section 76 planning agreement.

The Committee approved the application, subject to conditions and a Section 76 planning agreement, 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 deal with any other matters which may arise.

Restricted Items

The information contained in the reports associated with the following two 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 following 2 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.

Quarter 1 2023/24 Finance Report

The Director of Planning and Building Control outlined the Quarter 1 financial position of the Planning Committee and referred the Members to a summary of financial indicators and an executive summary.

The Committee noted the report.

LDP Update and Timetable

The Planning Manager outlined the draft timetable, governance and proposed engagement for the Local Policies Plan as the basis for submission to the Department for Infrastructure for formal approval.

The Committee:

- Endorsed the proposed timetable for preparation of Local Policies Plan for submission to the Department for Infrastructure;
- Noted the proposed change to the composition of the LDP Steering Group to include Party Group Leaders/Planning Committee representation or their nominees; and
- Noted the proposed approach to ongoing engagement and opportunities for wider participation to support the development of the Local Policies Plan both internally and externally.

Chairperson