

Planning Committee

Tuesday, 17th October, 2023

HYBRID MEETING OF THE PLANNING COMMITTEE

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

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

Apologies

No apologies for inability to attend were reported.

Minutes

The minutes of the meeting of 19th September, 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 October, 2023, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Alderman Lawlor declared an interest in relation to item 8a on the agenda, LA04/2022/0118/F - The proposed erection of 46No. apartment units over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access. 146 Parkgate Avenue, Strandtown, in that he was employed by Mr. Gavin Robinson MP, who had provided a letter of support for the application and left the meeting while the item was being discussed.

Councillor Garrett (Chairperson), Alderman Lawlor and Councillors Maskey and Nic Bhranair declared an interest in relation to item 9j on the agenda, LA04/2023/3822/F - Belfast Stories - Site 10 78-90 Union Street and 14-20 Kent Street, Smithfield and Union, Belfast, BT1 2JA Temporary permission for two years for community facility containing green and grow space to include raised beds, pollinator towers, rainwater harvesting containers, compost bins, solar panels, seating and toilets. Space to be partly covered by a stretch tent and proposed shipping container to provide ancillary office space, in that they were Members of the City Growth and Regeneration

Committee which had oversight of the funding of the Belfast Stories project and left the meeting while the item was being discussed.

Committee Site Visit

The Committee noted the Committee site visits.

Provision/Removal of Accessible Parking Bay

The Committee noted the notice of removal for 13 Haywood Avenue and the notices of provision of accessible parking bays at the following locations:

- 12 Riverview Street;
- 27 Edenvale Crescent;
- 34 Lothair Avenue;
- 46 Stranmillis Gardens;
- 101 Wallasey Park;
- Appt 1-3, 100 Cliftonville Road;
- 147 York Road; and
- 83 Clonduff Drive.

Notification of listed buildings – Chapel Lane and 137 Cavehill Road

The Committee noted the confirmation of the addition of the undernoted buildings to the List of Buildings of Special Architectural or Historic Interest in the Belfast City Council area:

- 137 Cavehill Road, Belfast, BT15 5BL; and,
- Belfast Electric Light Station, 6 Chapel Lane (and 9-13 Marquis Street) Belfast, BT1 1HH in August 2023.

Planning Appeals Notified

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in September, 2023.

Miscellaneous Reports

Update on new contract for publishing notice of planning applications in the press

The Planning Manager provided the Committee with an update on the new contract for the publication of planning notices.

The Committee noted the update.

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

The Planning Manager provided the Committee with an explanation as to why the decision for the application had been issued in advance of the Committee's consideration of the proposal at its meeting in September, 2023.

He reported that the application had been assessed as a delegated application and passed to the senior officer who had realised the error and aborted the authorisation, however, the system had generated an auto-task that had been sent directly to the administrative team for issue.

He explained that a number of unique circumstances had led to the decision having been issued in error, some human error and some due to the configuration of the electronic system and that a number of controls had been put in place to ensure that the error does not occur again.

The Committee noted the update.

NILGA Training

The Director of Planning and Building Control outlined NILGA's 2023-24 Planning Training Programme for Elected Members.

The Committee noted the Planning Training Programme schedule and approved the attendance of the Chairperson, Deputy Chairperson and one other Member of the Committee or their nominees, to participate in the programme.

Committee Workshops

The Director of Planning and Building Control provided the Committee with an updated schedule of Planning Committee Workshops.

The Committee agreed the updated Schedule of Planning Committee Workshops for the period October 2023 to September 2024, and that specific topics might be brought forward on the schedule, as required.

**Delegation of Local applications with
NIW 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.

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

(Alderman Lawlor, having declared an interest in the following application, left the meeting while the item was being considered.)

LA04/2022/0118/F - The proposed erection of 46No. apartment units over three story's, with associated car parking site and landscaping works and the alteration of an existing vehicular access. 146 Parkgate Avenue, Strandtown.

The Planning Manager reported that the application had previously been before the Committee in June, 2023, however, the Committee had deferred consideration of the application in order for further engagement between officers and the applicant to be undertaken in an attempt to resolve issues of concern and for the Members to undertake a site visit.

He explained that two further sets of plans had been submitted following engagement with officers and that a Committee site visit had taken place on 3rd October, 2023.

He informed the Committee that concerns related to impact of residential amenity had been resolved and that no additional objections had been received.

He presented the amended design and layout to the Committee with a series of aerial and street view photographs, plans and elevations.

He stated that the amended design and layout, together with additional information, was, on balance, acceptable and the application was recommended for approval with conditions, subject to a Section 76 agreement.

Proposal

Moved by Alderman McCullough,
Seconded by Councillor McCann and

Resolved – That the Committee grants planning permission, subject to conditions, and delegates authority to the Director of Planning and Building Control to finalise the wording of the conditions and the Section 76 agreement, and to deal with any other matters that arise prior to the issue of the decision, provided that they are not substantive.

(Alderman Lawlor returned to the meeting.)

**LA04/2022/1861/F, LA04/2022/1867/DCA
and LA04/2022/1860/A - 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 applications and pointed out that, since the Committee had deferred consideration of the application at its meeting in August, the applicant had amended the proposal to remove the proposed LED signage along the Castle Lane elevation.

He reported that the DfC Historic Environment Division had responded to the amended plans and maintained its advice that the proposal would be harmful to the setting of Listed Buildings, contrary to the SPPS and Policy BH1 of the Plan Strategy.

He explained that, whilst the Castle Lane signage had been removed from the proposal and no longer affected the west east vista along Castle Lane towards Arthur Square, internal conservation advice was that the proposals remained inappropriate and harmful to the character and appearance of the Conservation Area.

He concluded by stating that the proposal was contrary to the Policies BH1, BH2 and the SPPS and that it was recommended that the applications be refused by the Committee.

The Chairperson welcomed Mr. J. Stevenson, the proposed operator, Mr. A. Carlton, Alterity investments, and Mr. M. Worthington, the agent, to the meeting, in support of the application.

Mr. Worthington explained that following discussions with the Planning team, the scheme had been reduced by 50 percent which further reduced the impact on the conservation area and Listed Buildings. He pointed out that a temporary permission was being sought for a period of five years which provided greater control to the Council in the future.

Mr. Carlton stated that the proposal would provide a range of benefits to Belfast, in that there would be rates payable, a free advertising contract would be available to the Council to promote its own events and that free digital content would be offered to increase the knowledge and understanding of the adjacent Listed Buildings. He explained that 50 percent of the profits gained would be donated to the LFT Charitable Trust which allocated funding to local charities.

Mr. Stevenson explained that Liverpool had one of the biggest digital screens in Europe and it was situated next to St George's Hall, a grade 1 Listed Building and it was not perceived to have had a negative impact. He added that Open Media had planned to look at this proposal as one of its first builds that would be 90 percent recyclable from manufacture to its end. He reported that every media agency that Open Media engaged with wished to connect with Belfast but have not been able to do so due to a lack of digital signage provision.

Proposal

Moved by Alderman McCullough,
Seconded by Alderman Lawlor,

“That the Committee approves temporary planning permission, Conservation Area Consent and Advertisement Consent, for a period of five years and delegates authority to the Director of Planning and Building Control to finalise the wording of the conditions.”

Alderman McCullough accepted an addition to his proposal from Councillor Carson, to include that the permission would be reviewed in year three of the temporary five-year period.

The proposal, as amended, therefore read:

“That the Committee approves temporary planning permission, Conservation Area Consent and Advertisement Consent, for a period of five years, to be reviewed in year three, and delegates authority to the Director of Planning and Building Control to finalise the wording of the conditions.”

The Planning Manager advised the Committee that, a three-year permission would be a more appropriate term from an officer perspective as a five-year consent would be tantamount to a semi-permanent permission and three years would normally be the review period for temporary permissions.

The proposal, as amended, was put to the Committee and on a vote, 12 Members voted for the proposal and five against and it was declared carried.

LA04/2022/1831/F - Change of use from residential to short term stay accommodation, 258 Limestone Road, Belfast

The Committee deferred consideration of the application in order to clarify procedural query with the applicant.

New Planning Applications

LA04/2022/2060/F - Replacement of fire damaged storage and distribution warehouse on same building footprint (Retrospective), 122-126 Duncrue Street

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

- Principle of development;
- Demolition;
- Design;

- Climate change;
- Access and parking;
- Drainage and Waste-Water Infrastructure;
- Noise, odour and other environmental impacts; and
- Trees and landscaping.

She reported that it was recommended that the application was approved, subject to conditions.

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 deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

LA04/2022/2103/F - Proposed change of use and redevelopment of the existing waste management facility and adjoining plant hire business to create a new waste disposal installation for the incineration of healthcare and hazardous waste streams and associated works, 1 and 2 Duncrue Pass, Belfast.

The Committee deferred consideration of the application in order that Members could undertake a site visit and that the issues raised by Shared Environmental Services (SES) in their consultation response could be resolved. SES and DAERA are to be invited to attend the Planning Committee when the application is reconsidered.

LA04/2023/2850/F- Change of use from Parish Hall to licensed Social Club. Renewal of previous application LA04/2018/2081/F, 146 Andersonstown Road, Andersonstown, Belfast

The Planning Manager outlined the application to the Committee and explained that the building was set back from the main Andersonstown Road, behind a commercial frontage, and that the rear of residential properties were situated to the west and south, with Andersonstown Leisure centre situated to the east.

He highlighted the following key issues:

- Principle of development;
- Impact on amenity;
- Impact on character and appearance;
- Odour and other environmental impacts; and
- Access and parking.

He referred to the decision of the Planning Appeals Commission to allow an appeal against the original application for change of use of the property to a social club, appended to the Committee report.

He advised the Committee that the substantive planning issues and policy considerations remained the same, notwithstanding the adoption of the Belfast Local Development Plan: Plan Strategy.

He reported that Environmental Health had offered no objection to the application, subject to conditions and that it was recommended that the application would be approved.

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 deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

LA04/2022/1203/F - Relocation of 5 No. allotments approved under LA04/2020/0042/F. Introduction of an additional No. 8 allotments, a sensory garden and support hub building for day care of young adults (Amended application site boundary, proposal description and drawings). Glenriver Lands adjacent to 78 Cloona Park Belfast

The Committee deferred consideration of the application in order that Members could undertake a site visit.

LA04/2023/2324/F- Proposed development comprising demolition of an extant building and development of two apartment blocks (12 units, category 1 over 55s tenure) and change of use/alterations of existing retail unit to apartments (8 units private tenure), community amenity, parking, site access alterations, landscaping and ancillary works, Mountainview Centre, Norqlen Gardens

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

- Principle of development;
- Design, scale, layout and impact upon the character and appearance of the area;
- Impact on amenity;
- Affordable housing and housing mix;
- Accessible and adaptable accommodation;
- Climate change;
- Drainage;
- Traffic, movement and parking;
- Waste-water infrastructure; and
- Noise, odour and other environmental impacts including contamination.

She explained that, having regard to the development plan and other material considerations, the proposal was considered, on balance, to be acceptable and that it was recommended that planning permission was granted, subject to conditions and a Section 76 planning agreement.

The Committee granted planning permission, subject to conditions and a Section 76 planning agreement, to secure affordable housing, and delegated authority to the Director of Planning and Building Control to finalise the conditions, Section 76 planning agreement, and deal with any other matters that arise prior to issuing the decision, provided they are not substantive.

(The Committee considered the following two items together.)

LA04/2023/3494/F- Application under Section 54 of the planning (NI) Act 2011 to vary/remove condition 4 of planning permission LA04/2021/2144/F which reads "There shall be no servicing (including those for water supply, drainage, heating, and gas supplies) affixed to the exterior of the buildings hereby approved, unless specifically shown on the approved plans." It is proposed to remove condition 4 to regularise downpipes and gas pipes affixed to the exterior of the building in order to comply with statutory health and safety requirements, 150 Knock Road, Belfast; and

LA04/2023/3114/F- Section 54 application to vary condition no. 21 of planning permission LA04/2021/2144/F relating to alterations to the site's acoustic fence, 150 Knock Road, Belfast.

The Principal Planning Officer explained the proposals were for the same location, to remove condition No. 4 of planning permission LA04/2021/2144/F to regularise downpipes and gas pipes affixed to the exterior of the building, and to vary condition 21, to amend the extent of the acoustic fence for the site from the entire perimeter of the site to the southern, western and eastern boundaries, therefore omitting the northern boundary.

She reported that Environmental Health had offered no objections to the changes to the perimeter fencing which was being altered due to the local topography and that there would be no adverse visual impact from the addition of piping on the buildings. She added that a letter of support had been received from the adjacent Shandon Golf Club.

The Committee granted planning permission for application LA04/2023/3494/F, 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 deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

The Committee granted planning permission for application LA04/2023/3114/F, 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 deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

LA04/2023/2338/F - Full application for a proposed new single story building adjacent the new 'Peace IV Blackmountain Shared Space Project'. It comprises 8 office spaces with each space having an accessible WC and kitchenette facility. Offices will provide rental income to facilitate the long term sustainability of the adjacent building. (amended site location), site of the former Finlay's Factory south east of Ballygomartin Road, north of Moyard Crescent, northwest of Springfield Heights and Springfield Park, Belfast

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

- Principle of offices at this location;
- Scale, height, massing, design and layout;
- Community cohesion and good relations;
- Climate change;
- Drainage and flooding;
- Traffic, movement and parking;
- Waste-water infrastructure;
- Noise, odour and other environmental impacts including contamination; and
- Natural heritage.

She reported that, having regard to the development plan and other material considerations, the proposal was considered, on balance, to be acceptable and that it was recommended that planning permission was granted, subject to conditions and a Section 76 planning agreement.

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 that might arise prior to issuing the decision, provided that they are not substantive.

LA04/2023/3194/F - Proposed change of use and renovation of an existing office/ community building into a ground floor 'Good Relations' Community Hub and 6no. studio apartments on the first/ second floor. These will be for short term accommodation for those in housing need while they are waiting to find permanent housing. 240 Newtownards Road

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

- Principle of development;
- Design and layout;
- The impact of the proposal on amenity;
- Impact on the character and appearance of the area;
- Climate change;
- Noise, odour and other environmental impacts; and
- Access and parking.

She explained that, having regard to the development plan and other material considerations, the proposal was considered acceptable and that it had been recommended that planning permission was granted, subject to conditions.

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 deal with any other matters that arise prior to issuing the decision, provided that they are not substantive.

(Councillor Garrett (Chairperson), Alderman Lawlor and Councillors Maskey and Nic Bhranair, having declared an interest, left the meeting while the following item was considered.)

(Councillor Whyte (Deputy Chairperson) in the Chair.)

LA04/2023/3822/F - Belfast Stories - Site 10 78-90 Union Street and 14-20 Kent Street, Smithfield and Union, Belfast, BT1 2JA Temporary permission for two years for community facility containing green and grow space to include raised beds, pollinator towers, rainwater harvesting containers, compost bins, solar panels, seating and toilets. Space to be partly covered by a stretch tent and proposed shipping container to provide ancillary office space.

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

- Principle of the temporary use;
- Impact on the setting of a Listed Building;
- Impact on neighbouring amenity; and
- Environmental policies.

She explained that the proposal site was located in an area of vacant land which would bring regeneration benefits and was considered a complementary use within the city centre that would support the evening and nighttime economy, as well as the community.

She stated that, having regard to the development plan and other material considerations, the proposal was considered acceptable, and it was recommended that planning permission would be granted for a period of two years.

The Committee granted temporary planning permission for a period of two years, 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 might arise prior to issuing the decision, provided that they are not substantive.

(Councillor Garrett (Chairperson), Alderman Lawlor and Councillors Maskey and Nic Bhranair, having declared an interest, left the meeting while the following item was discussed.)

LA04/2023/3460/F - Single storey rear and side extension, roofspace conversion to include front and rear dormers, covered garden storage to rear, 93 Somerton Road

The Principal Planning Officer explained that the application had been brought before the Committee as it had been submitted by a staff member of the Council.

She stated that it had been recommended that full planning permission would be granted, subject to conditions.

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 that arise prior to issuing the decision, provided that they are not substantive.

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.

**Update on the Regional Planning
Improvement Programme**

The Director of provided the Committee with an update on the work which had been undertaken as part of the Regional Planning Improvement Programme, that included the joint work programme agreed between SOLACE and the Department for Infrastructure, and the work of the Interim Regional Commission.

The Committee noted the update and endorsed a draft letter to the Interim Regional Commission.

Chairperson