

Planning Committee

Thursday, 27th June, 2024

MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Aldermen McCullough and Rodgers;
Councillors Anglin, Bell, T. Brooks,
Doran, S. Douglas, Ferguson, Garrett,
Groogan, Hanvey, G. McAteer,
McCabe and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Mr. K. McDonnell, Solicitor (Regulatory and Planning)
Mr. E. Baker, Planning Manager (Development Management);
Mr. D. O’Kane, Acting Planning Manager (Plans and Policy);
Ms. C. Reville, Principal Planning Officer;
Ms. L. Walshe, Principal Planning Officer;
Mr. C. Campfield, Acting Principal Planning Officer
Mr. M. McErlean, Senior Planning Officer;
Ms. U. Caddell, Senior Planning Officer; and
Ms. C. Donnelly, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported for Councillors Abernethy and Murphy.

Declarations of Interest

The Chairperson (Councillor Carson) declared an interest in relation to item 4c - LA04/2023/2557/F - 260 no. dwellings, children’s play area and other ancillary and associated works. - Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove, in that he had been involved with both Radius Housing and Choice Housing, had facilitated meetings and had lobbied for a puffin crossing at the application site, he left the meeting whilst the item was under consideration.

Councillors T. Brooks and Groogan declared an interest in relation to item 4h - LA04/2023/4607/F - Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access. Parkmore Building, 284A Ormeau Road, in that they were Members of the South Belfast Area Based Working Group which had recommended the allocation of funding from the Neighbourhood Regeneration Fund for the proposal, and they left the meeting whilst the item was under consideration.

Councillor Whyte declared an interest in relation to item 4c - LA04/2023/2557/F - 260 no. dwellings, children’s play area and other ancillary and associated works. - Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin

Grove, North and West of Glen Road Rise, and North of Glen Road Grove, in that Radius Housing was a client of the company he worked for and he left the meeting whilst the item was under consideration.

Withdrawn Item

The Committee noted that the following item had been withdrawn from the agenda:

- LA04/2023/4153/F - Conversion of an existing dwelling house to a 5 bed HMO dwelling house. No works to the exterior or elevation of the property. - 44 Ponsonby Avenue.

Miscellaneous Reports

Delegation of Local Applications with NIW Objections

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

Confirmation of Listed Buildings - International Research Centre for Experimental Physics, including Railings, Retaining Walls, Queen's University, Belfast University Road Belfast

The Committee agreed the confirmation of the listing of the building.

New Planning Applications

LA04/2023/4613/F - Proposed building ranging between 5 - 10 storeys (20.60m - 42.35m) including offices (Class B1a), ground floor retail (Class A1), community and cultural (Class D1) and restaurant uses, and licensed restaurant at upper level with external terrace, rooftop plant area, landscaping, servicing, public realm improvements, and all associated site works. - Lands west of Donegall Quay, east of Tomb Street, south of Corporation Square (opposite Belfast Harbour Office) and immediately north of the NCP Multi Storey Car Park

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

- Principle of the proposed uses;
- Design and placemaking;
- Impact on heritage assets;
- Impact on amenity;

- Climate change;
- Open space;
- Access and transport;
- Health impacts;
- Environmental protection;
- Flood risk and drainage;
- Waste-water infrastructure;
- Natural heritage;
- Waste management;
- Employability and Skills;
- Section 76 planning agreement; and
- Pre-Application Community Consultation.

He reported that the Council's Waste Management Unit had confirmed that it was content with the amended plans and layout and pointed out an error contained within the report at paragraphs 1.2, 5.61 and 5.93, in that the report should have referred to City Quays Gardens rather than Cathedral Gardens.

He stated that, having regard to the Development Plan and material considerations, it was recommended that the application would be approved, subject to conditions and a Section 76 planning agreement.

The Chairperson welcomed Ms. D. Lyle, Mr. M. Gordon and Mr. H. McConnell to the meeting, who attended on behalf of the applicant.

Ms. Lyle stated that she welcomed the recommendations of the Planning officers and explained that Belfast Harbour was very keen to progress onsite and therefore would welcome the Committee's endorsement of the recommendation.

In response to a query from a Member with regard to the proposal's impact on the view of the Belfast Harbour Office building, Mr. McConnell explained that there had a robust assessment of the application from both the Council and HED, and consideration had been given to the views of the Grade A Listed Building.

Mr. Brian McKervey, HED, who was in attendance, added that the proposal was appropriate for the setting and would be a good neighbour to the Grade A Listed Building.

The Committee granted planning permission, 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 issues that may arise.

LA04/2024/0190/F and LA04/2024/0203/LBC - Renewal of planning permission ref: LA04/2018/1991/F for the demolition of existing non listed buildings and redevelopment of site with 6-8 storey buildings to accommodate office led mixed use development comprising Class B1 (a) office, ancillary Class B2 industrial floorspace, active ground floor uses retail (A1), restaurants, cafes and bars (sui generis); basement parking and associated access and circulation. Proposals include the retention and restoration of the listed Seaver building comprising façade restoration; new roof and reintroduction of dormers, replacement windows and reinstatement of original entrance to southern façade. - Former Belfast Telegraph complex at 124-144 Royal Avenue and, 1-29 Little Donegall Street

The Planning Manager outlined the proposal to the Committee and explained that planning permission and Listed Building Consent had been granted in February, 2019 and that the application sought to renew the full planning permission and was accompanied by a fresh Listed Building Consent application.

He pointed out that there were no differences between the previously approved application and the current application for renewal and that it included, where relevant, updated reports and information as required by the Local Development Plan: Plan Strategy.

He explained that no objections had been received from third parties and that, having regard to the development plan and other material considerations, the proposal was considered acceptable.

The Chairperson informed the Committee that Ms. D. Lyle and Mr. P. Stinson, Turley, were available to answer questions from the Members.

In response to a question from a Member, who had enquired as to what consideration had been given to reusing the structure rather than demolition, Mr. Stinson explained that the focus on retaining the original building had been worked through extensively, however the previous use and practicalities of converting it into the proposed use for offices had not been feasible. The Planning Manager added that there was a need for modern office space and that the current building presented as unattractive and explained that a condition had been recommended which required the reuse and recycling of building materials, where possible, to minimise and mitigate any environmental impacts.

After further discussion, the Committee granted full planning permission and Listed Building Consent, subject to conditions and delegated authority to the Director of Planning and Building Control to deal with any other matters that might arise, to include the further consultations from DAERA NIEA (NED), provided that they were not substantive.

(The Deputy Chairperson (Councillor T. Brooks) in the Chair.)

LA04/2023/2557/F - 260 no. dwellings, children's play area and other ancillary and associated works. - Lands East of Meadowhill, North of Glencolin Court, North and East of Glencolin Rise, East of Glencolin Grove, North and West of Glen Road Rise, and North of Glen Road Grove

The Senior Planning Officer outlined the application to the Committee and highlighted the following key issues for assessment of the application:

- Principle of development;
- Site layout, density and design;
- Open space provision;
- Affordable housing;
- Trees and landscaping;
- Traffic, movement and parking;
- Climate change;
- Impact on amenity;
- Contaminated land;
- Drainage and flooding;
- Natural heritage;
- Impact on protected sites;
- Employability and skills;
- Section 76 planning agreement; and
- Pre-application community consultation.

He explained that a response had been received from DfI Rivers, following the receipt of a Flood Risk Assessment, which had offered no further objection, subject to a condition that would require the submission of a final drainage assessment prior to the construction of the drainage network.

He stated that, having regard to the development plan and relevant material considerations, the proposed development was considered acceptable and it was recommended that planning permission be granted, subject to conditions and a Section 76 planning agreement.

The Committee granted planning permission, 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 issues that might arise.

LA04/2024/0438/F - Section 54 application to vary condition 27 (parking, servicing and circulating), condition 28 (parking facilities), condition 29 (vehicular access) , condition 30 (cycle parking) and condition 31 (service management plan) of planning approval LA04/2019/2756/F (alterations to vacant Gaol wing (Wing A) to facilitate change of use to operational whiskey distillery with tourist centre. - A Wing, Crumlin Road Gaol 53-55 Crumlin Road

The Principal Planning Officer outlined the application to the Committee which sought to vary conditions of planning permission LA04/2019/2756/F under Section 54 of the Planning Act (Northern Ireland) 2011.

She explained that an amended proposed site plan had been submitted to supersede the previously approved proposed site plan and that DfI Roads had offered no objection in its consultation response.

She stated that, having regard to the Development Plan and other material considerations, and in the planning balance, the proposed development was considered acceptable and that it was recommended that planning permission 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 issues that might arise, provided that they were not substantive.

(The Chairperson (Councillor Carson) in the Chair.)

LA04/2024/0574/F - Proposed temporary (up to 5 years) nursery and primary school, soft play area, access, parking, landscaping and ancillary site works - Land adjacent and east of No. 44 Montgomery Road

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

- Principle of a school/nursery at this location;
- Loss of employment land;
- Provision of community infrastructure;
- Design and placemaking;
- Impact on amenity;
- Climate change;
- Open space;
- Access and transport;

- Environmental protection;
- Natural Heritage;
- Flood risk and drainage; and
- Waste-water infrastructure.

She explained that, in the planning balance, it was considered that the benefits of the proposal, in terms of providing a community and education use, outweighed conflict with the Development Plan, namely, the temporary loss of employment land.

She stated that no objections had been received from statutory consultees and that the Council's Environmental Health Service and DfI Roads had raised no objections. She added that, two third party objections had been received and eleven letters of support.

She reported that, having regard to the Development Plan and material considerations, and in the planning balance, it was recommended that planning permission was granted, subject to conditions.

The Chairperson welcomed Ms. L. Ervine, the applicant, Mr. T. Bell and Mr. R. Dougan to the meeting.

In response to questions from Members with regard to community consultation and concern with regard to the application, Ms. Ervine explained that 17,000 leaflets had been delivered in the east Belfast area and had received over 200 expressions of interest from parents in the area and 60 applications had been received to commence the school year in September, 2024.

She added that she had attended a number of community events in the east Belfast area and had received a lot of positivity.

She stated that consultations had been undertaken with local church groups and Resolve NI, a community resolution organisation, which had spoken to community leaders in the Clonduff estate and Lisnasharragh PSNI, and no concerns had been raised with regard to the proposal.

In response to a question from a Member with regard to no public consultation having been carried out by the Council with local residents, the Principal Planning Officer explained that neighbour notification was carried out, in line with statutory requirements, and the application was advertised, as required, in local newspapers. It was confirmed that as the application was not for Major development, there was no requirement for the applicant to carry out formal Pre-Application Community Consultation.

The Chairperson put the officer recommendation to the Committee and upon audible dissent, called for a vote to be taken.

On a recorded vote, 11 Members voted for the recommendation and five against and it was declared carried.

For (11)	Against (5)
The Chairperson (Councillor Carson); The Deputy Chairperson (Councillor T. Brooks); and Councillors Anglin, Bell, Garrett, Groogan, Hanvey, G. McAteer, McCabe, McCann and Whyte.	Aldermen Lawlor and McCullough; and Councillors Doran, S. Douglas and Ferguson.

Accordingly, the Committee granted temporary planning permission for a period of three years, 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 issues that might arise, to include those raised in further consultation responses.

LA04/2023/4215/F - Proposed 3no. residential apartments blocks (19no. Cat 1 Elderly apartments and 2no. Wheelchair apartments, 21 units in total) Associated car parking, site works and landscaping. - 141-147 Upper Dunmurry Lane

The Committee deferred consideration of the application in order to undertake a site visit.

LA04/2024/0044/F - Change of use from HMO to single dwelling and rear dormer (amended description). 17 Lower Courtyard, BT7 3LH

The Principal Planning Officer outlined the application to the Committee and referred to the following key issues to be considered:

- Principle of change of use back to a single dwelling;
- Scale, massing and design of rear dormer; and
- The impact on neighbouring amenity.

She pointed out an error in the report which had mistakenly referred to temporary planning permission and confirmed that the application was not for temporary planning permission.

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

The Chairperson welcomed Ms. S. McFarlane, the applicant, to the meeting.

Ms. McFarlane explained that some of her neighbours had objected the application and explained that there were at least three other properties within the development which had added a rear dormer and that the proposal would bring her house back to its original design of a three bedroom house, in line with the neighbouring properties.

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 issues that might arise, provided that they were not substantive.

(Councillors T. Brooks and Groogan left the meeting as they had declared an interest in the following application.)

LA04/2023/4607/F - Removal of existing temporary sectional buildings and construction of new three storey childcare building with external play area, associated landscaping and alterations to existing access. Parkmore Building, 284A Ormeau Road

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

She referred the Committee to the following key issues to be considered:

- Principle of development in this location;
- Impact on open space;
- Access and transport;
- Environmental considerations;
- Flood risk and drainage; and
- Waste-water infrastructure.

She explained that the site was within the settlement limits and zoned open space within the BUAP and also within the draft Belfast Metropolitan Area Plan 2015 and DBMAP (2014v).

She stated that the proposal would provide dedicated on-site parking to service the proposed building and was considered acceptable, given the highly sustainable location of the site.

She reported that the application proposed to deliver a purpose-built building designed to meet the needs of children and young adults with special needs.

She concluded by stating that, having regard to the development plan and material considerations, it was recommended that planning permission 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 issues that might arise, provided that they were not substantive, to include those raised in the final consultation response from Environmental Health.

LA04/2024/0819/F - 47 Greystown Park (Single storey rear extension and front elevation changes to facilitate conversion of garage to playroom / home office

The Committee considered the report and the officers' recommendation and 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 issues that might arise, provided that they were not substantive.

Restricted Item

Draft Purpose Built and Managed Student Accommodation - Supplementary Planning Guidance

The Acting Development Planning and Policy Manager provided an overview of updated Supplementary Planning Guidance (SPG) that related to Purpose Built Managed Student Accommodation (PBMSA).

He explained that the existing SPG, adopted in June 2016, had been reviewed following the adoption and Local Development Plan (LDP) Plan Strategy in May 2023 and he asked the Committee to approve the revised draft SPG for public consultation.

The Committee agreed to the publication, for public consultation, of the revised draft Purpose Built Managed Student Accommodation Supplementary Planning Guidance.

Chairperson