

Planning Committee

Tuesday, 21st January, 2025

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Aldermen Lawlor, McCullough and Rodgers;
Councillors Abernethy, Anglin, Bell, Brennan,
T. Brooks, Doran, S. Douglas, Ferguson, Garrett,
Groogan, Hanvey, McCabe, McCann and Murphy

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, Planning Manager (Plans and Policy)
Ms. L. Walshe, Principal Planning Officer; and
Ms. C. Donnelly, Committee Services Officer.

Apologies

No apologies for inability to attend were reported.

Minutes

The minutes of the meeting of 10th December, 2024 were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council, at its meeting on 9th January, 2025, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Murphy declared an interest in relation to item 10b - LA04/2024/0754/F - Retrospective application for the construction of a landscaped earth mound, new fencing, and the reconfiguration of internal access arrangements and car parking associated with film studios granted under planning permission ref: LA04/2020/0474/F (as amended under LA04/2021/1358/F). (Amended description and plans) - Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known at North Foreshore/Giants Park), in that he was a Board Member of Belfast Harbour Commissioners.

Withdrawn Items

The Committee noted that the following items had been withdrawn from the agenda:

- Proposed adoption of SPG on Purpose Built and Managed Student Accommodation (PBMSA) including report on Public Consultation of Draft SPG for notation;

- Public Local Inquiry for the Dalradian Gold Application; and
- LA04/2024/1744/LBC - Installation of metal gates to the Titanic Memorial Garden at the ground of Belfast City Hall - Belfast City Hall, 2 Donegall Square North.

Committee Site Visits

Note of Committee Site Visits

The Committee noted the site visits.

Schedule of Committee Site Visits

The Committee agreed the proposed schedule of site visits.

Notifications of Abandonment and Extinguishment

Notifications from Statutory Bodies – 24 Summerhill Drive and Hopewell Crescent

The Committee noted the notifications of extinguishment.

Planning Appeals Notified

The Committee noted the appeals decisions.

Planning Decisions Issued

The Committee noted the planning decisions issued in December, 2024.

Live applications for Major Development

The Committee noted the list of live applications for major development.

Committee Decisions yet to issue

The Committee noted the list of Committee decisions which had not yet been issued.

Miscellaneous Reports

Advanced Notice of Listed Buildings - Ardleeven 180 Upper Malone Rd; Ardleeven 178 Upper Malone Rd; 17 Notting Hill; 2 Malone Hill Park; and 6 Malone Hill Park

The Planning Manager informed the Committee that correspondence had been received from the Historic Environment Division (HED) regarding the proposed listing of the following properties:

- Ardleeven 180 Upper Malone Rd;
- Ardleeven 178 Upper Malone;
- 17 Notting Hill;
- 2 Malone Hill Park; and
- 6 Malone Hill Park.

The Committee noted the content of the report and supported the proposed listings.

Delegation of Local applications subject to a NIW objection

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

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. Proposed amendment to tenure of affordable housing.

The Planning Manager summarised the application for a proposed change to tenure and explained that the application had been approved by the Committee at its meeting in September, 2023, whereby plots 168, 179 and 179a were required to be delivered as co-ownership affordable housing. He stated that plots 179 and 179a had been valued at £210k which exceeded the £195k value limit for co-ownership housing and could not therefore be delivered as such.

He reported that the applicant had been in discussion with Arbour Housing Association with regard to delivering plots 168, 179 and 179a as social rented housing in response to the significant unmet need for social housing in the area.

He explained that, in order to facilitate the change in tenure, it would be necessary to amend the Section 76 planning agreement which stipulated that the three dwellings should be delivered as co-ownership housing. He stated that the change in tenure would still secure 21% affordable housing which was compliant with Policy HOU5 of the Plan Strategy and was considered acceptable and he recommended that the application be approved.

The Committee approved the change in tenure of the three affordable housing units from Co-Ownership Housing to social rented housing and delegated authority for the Director of Planning and Building Control to finalise the wording of the amended Section 76 planning agreement, including consideration of the trigger point and appropriateness of a long-stop date for delivery of the three affordable housing units.

Planning Applications previously considered

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

The Planning Manager outlined the application to the Committee and highlighted the following key issues for consideration:

- Principle of development;
- Natural Heritage and Impact on ecology;
- Impact on water / marine environment;
- Design, layout and visual impact;
- Impact on amenity and environmental health;
- Access, parking and transport;
- Flood risk; and
- Waste infrastructure.

He reported that the proposed facility would undertake the incineration of healthcare, hazardous and other waste and that the waste streams would be controlled through the Pollution Prevention Control (PPC) permit which was administered by DAERA NIEA. He stated that the proposal was an on-island solution and would be an alternative to shipping waste to Great Britain or Europe.

He stated that the proposed facility would have a capacity of 20,000 tonnes of waste per annum and that the island of Ireland generated around 43,000 tonnes of clinical waste annually, 13,000 tonnes in Northern Ireland and 30,000 tonnes in the Republic of Ireland. He added that the PCC permit would cap the facilities capacity to 20,000 tonnes.

The Planning Manager stated that the facility could generate up to 10MW in heat which could convert to 1-2MW of electricity and that, in order of priority, the applicant intended that the primary energy use would be as a local heat supply, then local energy source and, finally, exported to the National Grid.

He explained that, following the submission of further information, DAERA and SES had offered no objection to the proposal and that it was recommended that the application be approved, subject to conditions.

The Chairperson welcomed Ms. G. Jobling, JPE Planning and Mr. G. Blacklock, SLR Consultant, to the meeting, who attended on behalf of the applicant.

Ms. Jobling explained that the proposal represented a vital upgrade to the existing waste management facility that would transform it to a specialised installation for the incineration of healthcare and hazardous waste streams.

She stated that the proposal was compliant with all relevant planning policies and would address critical infrastructure gap in Northern Ireland. She explained that, in addition to treating waste, the facility would generate renewable energy which could be used directly by industries in the Duncrue area for heating or refrigeration or, alternatively, could be converted to electricity and supplied to local businesses.

Ms. Jobling stated that significant research had underpinned the application which supported the principles of self-sufficiency and environmental stewardship whilst enhancing Northern Ireland's waste infrastructure. She informed the Committee that the proposed facility would generate local high value jobs, support nearby businesses with energy recovery in the form of heat and electricity that would contribute to Belfast's leadership in sustainable waste management solutions.

She concluded by stating that the project was a forward thinking response to a pressing infrastructure need and explaining that environmental and technical assessments had demonstrated that the development would not adversely affect human health, ecology or air and water quality.

After discussion it was

Moved by Councillor Garrett,
Seconded by Councillor Brennan, and

Resolved - "That the Committee approves the application, subject to conditions, to include the addition of a condition to prevent the import of waste from outside the island of Ireland and delegates 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."

Accordingly, the amendment was thereupon put to the meeting as the substantive motion.

LA04/2024/1623/F - Change of use from 4 bed dwelling (C1) to 5 bed House of Multiple Occupancy (Sui Generis) - 49 Woodcot Avenue

The Committee agreed to defer consideration of the application so that late items and amended recommendation could be set out in an updated report.

New Planning Applications

LA04/2024/0714/F - Proposed development to create a private medical facility (a hospital within Class C3) comprising of the change of use of part of retail warehouse and the extension of the building to create a private medical facility with a significant element of overnight residential care together with all associated ancillary development. - Units 2A and 2B at 38 Boucher Road

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

- Principle of development;
- Visual impact of the proposed redevelopment;
- Impact on character of the area;
- Impact on transport infrastructure and road safety;
- Flood risk/drainage;
- Health impacts;
- Environmental impact;
- Climate change;
- Employability and skills;
- Section 76 planning agreement; and
- Pre-application community consultation.

He stated that the application site was partially located within whiteland and an area zoned for industry and commerce within the Belfast Urban Area Plan (BUAP) and whiteland in the Draft Belfast Metropolitan Area Plan 2015.

He reported that NI Water had been the only consultee to object to the proposal and that the application had been advertised and neighbour notified and that no objections had been received.

He stated that, having regard to the development plan and other material considerations, the proposal had been considered acceptable and he recommended that planning permission be granted, subject to conditions.

The Chairperson welcomed Mr. M. Worthington, Pragma Planning, and Mr. R. Irwin, Norlin Ventures, attending on behalf of the applicant, to the meeting.

Mr. Worthington thanked the Council's Planning Service which he stated had dealt with issues promptly and professionally and that by processing the major application within seven months demonstrated what could be achieved through collaborative working between the private and public sectors.

He explained that the applicant was content with the proposed conditions and highlighted that there had been no third-party objections to the proposal.

The Committee agreed to grant planning permission, subject to conditions 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 might arise from outstanding consultees.

LA04/2024/0754/F - Retrospective application for the construction of a landscaped earth mound, new fencing, and the reconfiguration of internal access arrangements and car parking associated with film studios granted under planning permission ref: LA04/2020/0474/F (as amended under LA04/2021/1358/F). (Amended description and plans) - Lands immediately north and south of existing film studios, north of Dargan Road (within wider Belfast City Council lands known at North Foreshore/Giants Park)

The Principal Planning Officer provided a summary of the application to the Committee and explained that since the publication of the report, an amended description to remove reference to car-parking had been received and that a separate application to regularise the parking layout would be submitted in due course.

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

The Committee approved the application, subject to conditions and delegated authority to the Director of Planning and Building Control to review the outstanding response from DAERA NIEA: NED, finalise the wording of the conditions, and deal with any other matters that might arise prior to issuing the decision, provided that they were not substantive.

LA04/2024/0966/F - Retrospective: Change of use from 3-bedroom residential dwelling (C1) to short-term let (Sui Generis). Amended Plans and Description. - 28 Dunvegan Street

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

- Principle of a change of use to short-term let at the site location;
- Policy HOU3 - Protection of existing residential accommodation;

- Policy HOU13 – Short-term let accommodation;
- Character, design and appearance; and
- Traffic, parking and access.

She reported that DfI Roads had been consulted as the statutory consultee and had raised no objections and that five third-party objections had been received and the issue raised had been addressed within the report.

She explained that the proposal had been assessed against prevailing policy and had failed to meet two key criteria of Policy HOU13, in that the proposal was not within a tourism cluster or within 1200km of a visitor attraction and that the management arrangements were not sufficiently robust to mitigate the potential impacts of the proposal on the amenity of residents.

She reported that, since the publication of the report, an email response had been received from the applicant that elaborated on the policy compliance to be considered prior to a formal decision that contained a revised management plan, updated Tourism NI certification and a rebuttal statement from the applicant on the recommended refusal reasons and supporting information on policy compliance which cited differing walking times to the officers' desk-based study.

She stated that, having regard to the development plan and other material considerations, the proposal was considered unacceptable and that it was recommended that planning permission be refused.

The Committee refused the application and delegated authority to the Director of Planning and Building Control to finalise the wording of the reasons for refusal.

Chairperson