

# Planning Committee

Thursday, 23rd April, 2015

## MEETING OF PLANNING COMMITTEE

Members present: Councillor Garrett (Chairperson);  
Aldermen McGimpsey, L. Patterson and  
R. Patterson; Councillors Armitage,  
Campbell, Hutchinson, Johnston, Magee,  
McAteer, McDonough-Brown and Mullan.

In attendance: Mr. C. McIlwaine, Area Planning Manager; and  
Mr. B. Flynn, Democratic Services Officer.

### Apologies

Apologies were reported on behalf of Councillors Bunting and Heading.

### Declarations of Interest

Councillor Mullan declared interests in the following planning applications on the agenda:

- **Item 2: - Z/2014/1279/F** - Land off the former Dargan Road Landfill Site to the north of Dargan Road, in that in that a family member was involved with the design of the project;
- **Item 5 - Z/2013/0178/F** – 62 Beech Heights, in that she had met with local residents to discuss the application. However, she pointed out that she remained ‘without bias’ regarding the application; and
- **Item 6 - Z/2012/0798/F** – 64 The Boulevard, in that she had met with local residents to discuss the application. She indicated that she wished to address the Committee to outline objections in her capacity as a local Elected Member.

### Date and Time of Future Meetings

The Committee agreed to hold its monthly meetings at 5.00 p.m. on the following dates during the remainder of 2015:

- Tuesday, 19th May;
- Tuesday, 16th June;
- Tuesday, 18th August;
- Tuesday, 15th September;
- Tuesday, 20th October;
- Tuesday, 17th November; and
- Tuesday, 15th December.

In addition, it was agreed, should the level of business necessitate a second meeting, that the Committee would meet at 5:00 p.m. on the following dates:

- Thursday, 21st May;
- Thursday, 18th June;
- Thursday, 20th August;
- Thursday, 17th September;
- Thursday, 22nd October;
- Thursday, 19th November; and
- Thursday, 17th December.

**Northern Ireland Environment Agency (NIEA)**  
**Proposed Listing of Buildings**

The Committee was reminded that the Council, at its meeting on 1st April, had referred the minute of the meeting of the former Shadow Planning Committee of 11th March, under the above-mentioned heading, to the Planning Committee for further consideration. That decision had been taken to enable deputations from both the Danske Bank and the Belfast Telegraph to attend a future meeting to outline their concerns at proposals by the NIEA to list their corporate headquarters. A copy of the minute of the meeting of 11th March is set out hereunder:

**"Listing and De-Listing of Buildings"**

*The Committee was advised that correspondence had been received from the Northern Ireland Environment Agency (NIEA) seeking the Council's views in respect of proposals which had been formulated for the listing and de-listing of a number of buildings in Belfast. The Committee agreed with the Agency's proposals to list the following buildings:*

- *The Synagogue, Somerton Road*
- *Royal Belfast Hospital for Sick Children*
- *Microbiology Building, Grosvenor Road*
- *External Waiting Hall - Royal Victoria Hospital*
- *Direct Wine Shipments, Corporation Square*
- *Congregational Church, 101-103 Donegall Street*
- *1 Victoria Square*
- *4, 5 and 6 Murray Street*
- *Central Hall, Rosemary Street*
- *1-5 Castle Lane and 23-29 Cornmarket*
- *13-17 Grosvenor Road*
- *War Memorial Building, 9 Waring Street*
- *McCracken's Bar, Joy's Entry*
- *Belfast Telegraph Offices, 124-144 Royal Avenue*

**Dankse Bank – Donegall Square West**

*The Committee was advised that a letter had been received from representatives of Danske Bank requesting that that it would agree not to support a proposal to list the bank's corporate headquarters in Donegall Square West. The letter had indicated that the building acted as the bank's regional operations centre for the island of Ireland and added that the listing of the building could impose unnecessary constraints on the ability of the bank to upgrade or re-develop its headquarters.*

*The Committee noted the information which had been received but agreed that it was minded, given its unique architectural and contemporary style, to support the proposal to list the building."*

After discussion, the Committee agreed to affirm the minute of 11th March, with the exception of the decisions to support the proposals by the NIEA to list the headquarters of the Danske Bank and the Belfast Telegraph. It was agreed to invite representatives of the Danske Bank and the Belfast Telegraph, together with representatives of the NIEA, to the Committee's meeting in May to discuss the aforementioned proposals.

**Routine Correspondence**

It was reported that no correspondence had been received.

**Appeals Dates Notified and Appeal Decisions**

The Committee noted a number of dates which had been set for the hearing of planning appeals, together with the outcome of recent appeals.

**Delegated Decisions**

No delegated decisions were submitted for notation.

**Proposed 'Park and Ride' Facility at IKEA**

The Area Planning Manager reminded the Committee that a retrospective planning application to operate a fee-paying park and ride car park from the IKEA multi-storey car park to the George Belfast City Airport had been refused in by Department of the Environment in December, 2013. He reported the operator of the car park had appealed against the decision and the appeal had been heard by the Planning Appeals Commission in January 2015. He outlined the principle aspects of the case and indicated that a decision would be issued in due course.

Noted.

**Belfast Metropolitan Area Plan - Update**

The Committee considered the following report:

**“1.0 Purpose of Report**

- 1.1 This report provides an update on the current status with regard to the Belfast Metropolitan Area Plan (BMAP) and the ongoing challenge to the adoption in September 2014.

**2.0 Recommendations**

The Committee is asked to note this report. Further reports will be brought to the Committee in relation to the result of the challenge and for the consideration of proposed processes for the development of a new for the city.

**3.0 Main report**

- 3.1 The previous report to the Shadow Committee outlined the basis for the adoption by the Minister for the Environment, Mark H Durkan in September 2014. This adoption meant that BMAP replaced all pre-existing local policies and would serve as the local development plan for Belfast until such time as the new Council puts in place a new plan.
- 3.2 The Enterprise Minister, Arlene Foster, claimed in December 2014 that Minister Durkan in proceeding to adopt BMAP had breached the ministerial code by publishing the plan without bringing it before the Executive for full approval.
- 3.3 Minister Foster was granted leave to seek a judicial review of Mark H Durkan's decision to adopt the BMAP in January 2015. At the hearing the judge was informed the Environment Minister was not opposed to the case proceeding to a full hearing which was scheduled for the 27th May 2015.
- 3.4 Until the result of the challenge is formalised the BMAP will remain as the adopted Development Plan for Belfast and the surrounding 5 Districts. The BMAP sets out the land use proposals for Belfast and the surrounding Districts for the period until it is replaced. It identifies zones for retail, residential or commercial development and affects almost 40% of the Northern Ireland population. This includes areas such as Carrickfergus, Lisburn, Newtownabbey and North Down that are (and will be) outside of the Belfast City Council boundary.

- 3.5 It was previously indicated that Minister Foster would also be seeking an order to suspend any implementation of BMAP until the case is decided. Following the court consideration in January it was confirmed that the suspension of BMAP was no longer being pursued.
- 3.6 The decision arising from the hearing scheduled for the 27th May 2015 could have implications for the future status of all or part of the BMAP and will be reported back to the Committee along with any recommendations as to the way forward.
- 3.7 With regard to the development of the new plan the Committee may wish to note the illustrative timeline provided guidance issued by the Department. This work under new statutory requirements will need to be aligned with the Community Plan as detailed in the emerging Belfast Agenda.”

The Committee noted the information which had been provided.

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

**Z/2014/1263/F - 40 Torrens Crescent, BT14 6HS**

1. **Z/2014/1263/F – 40 Torrens Crescent (application for the erection of five two-storey dwellings, i.e., one detached and four terraced houses).**

The Planning Officer gave a detailed presentation on the application and answered a range of Members’ questions. The Committee was informed that the site was located on un-zoned land within the development limits as designated by the Belfast Metropolitan Area Plan. It was indicated that the proposal had complied with all relevant planning policies and that consultees had offered no objections. It was pointed out that, should planning approval be granted, conditions relating to a contamination investigation and, if necessary, appropriate mitigation measures would be required.

**The Committee granted approval, subject to the imposing of the conditions as outlined within the Case Officer’s report.**

**Z/2014/1279/F - Lands to the North of Dargan Road Landfill Site**

2. **Z/2014/1279/F – Lands to the North of the Dargan Road Landfill Site (upgrade of existing roads infrastructure and associated site capping together with landscaping and site works)**

(Councillor Mullan left the table whilst the item was under discussion and took no part in the decision-making process).

The Planning Officer outlined the principal aspects of the application and reported that, should approval be granted, it would enable a comprehensive redevelopment of the Dargan Road Landfill Site to be commenced. It was pointed out

that no representations had been received and the Committee was recommended to approve the application, subject to the conditions outlined within the Case Officer's report.

**The Committee granted approval, subject to the imposing of the conditions as outlined within the Case Officer's report.**

**Z/2014/0173/F - Site Adjacent to 7 Queen's Road, BT3 9DT**

**3. Z/2014/0173/F - Site Adjacent to 7 Queen's Road (change of use from bank to a restaurant with takeaway facility)**

The Planning Officer reported that the proposal had been assessed against Planning Policy Statement 1, that is, '*General Principles and Development Control Advice Note 4, Restaurants, Cafes and Fast Food Outlets*', and it had adhered to the relevant policy and guidance principles. It was pointed out that the statutory consultees had offered no objections and, subject to the imposing of relevant conditions, it was recommended that approval be granted.

**The Committee granted approval, subject to the imposing of the conditions as outlined within the Case Officer's report.**

**Z/2013/0247/F - 22 College Drive, BT7 3LF**

**4. Z/2013/0247/F - 22 College Drive (retrospective change of use of dwelling from a three-bedroom house to a three-bedroom House in Multiple Occupancy)**

The Planning Officer reported that the site lay outside any defined HMO policy area or development node. The proposal had been assessed against planning policy HMO 5, which, it was pointed out, had established a ten percent maximum threshold for HMOs within any street outside a defined HMO area. It was pointed out that, within 'College Drive', there existed 42 dwellings/apartments, and that a four conversions as proposed to HMOs could be approved in accordance with the policy.

It was noted that the application would not increase the number of bedrooms within the dwelling and that no other changes had been proposed to the building. One objection had been received regarding a pre-existing covenant for family housing in the development and that objector had cited also concerns regarding road safety. The Planning Officer indicated that the covenant was a 'civil matter' in law, and there existed no policy requirement for parking provision.

The Committee was advised that the proposed change of use from a three-bedroom house to a three-bedroom HMO was within policy and would result in no detrimental impact upon the character of the area, nor on the amenity of neighbouring residents. Accordingly, the Committee was recommended to approve the application.

**The Committee granted approval to the application.**

**Z/2013/0178/F - 62 Beech Heights, BT7 3LQ**

**5. Z/2013/0178/62 – 62 Beech Heights (change of use from a dwelling to a four-bedroom House in Multiple Occupancy).**

The Planning Officer reported that the site in question lay outside any defined HMO policy area or development node. The application had been assessed against planning policy HMO 5, which had established a ten percent maximum threshold for HMOs within any street outside a defined HMO area. It was reported that, within 'Beech Heights', there existed 81 dwellings/apartments, and that up to eight conversions to HMOs could be approved within policy. It was reported that had been one other approval in the street and that the application, if approved, would be the second within the ten percent limit. It was stated that the proposed change of use from a house to a four-bedroom HMO would have no detrimental impact upon the character of the area, nor on the amenity of neighbouring residents.

**The Committee granted approval to the application.**

**Z/2012/0798/F - 64 The Boulevard, BT7 3LN**

**6. Z/2012/0798/F - 64 The Boulevard (change of use from a 4 bedroom house to a four bedroom House in Multiple Occupancy).**

(Councillor Mullan left the table whilst the item was under discussion and took no part in the decision-making process).

The Committee was informed that the site in question lay outside any defined HMO policy area or development node. The application had been assessed against Planning Policy HMO 5, which had established a ten percent maximum threshold for HMOs within any street outside a defined HMO area. It was reported that there existed 111 dwellings/apartments within 'The Boulevard', and that a maximum of 11 conversions to HMOs could be approved. It was pointed out that five approvals for HMOs had been granted within the street and that a further approval would be within the policy.

The Planning Officer reminded the Committee that there was no specific HMO policy requirement in relation to parking provision. It was reported that the change of use from a four-bedroom house to a four-bedroom HMO would, if approved, result in no detrimental impact upon the character of the area, nor on the amenity of neighbouring residents.

The Committee acceded to a request from Councillor Mullan to address it in relation to the application. Accordingly, she came to the table to state her case and indicated that, if approved, the proposal would exacerbate existing parking problems and create additional road safety issues for local residents. She then retired from the table.

The Planning Officer responded to a range of Members questions which related to the number of existing HMOs within the area and their specific location in relation to each other.

**The Committee granted approval to the application.**

**Z/2013/1485/F - Sport and Leisure Swifts FC at Glen Road Heights, BT11 8RB**

7. **Z/2013/1485/F - Sport and Leisure Swifts at Glen Road Heights (new 3G pitch in revised position with floodlights, dug outs, turnstiles, a 1.2m fence and associated ground works).**

The Committee was informed that the application had complied with all relevant planning policies and that the principle of development was considered to be acceptable. It was reported that the closest residential properties were located over 200 metres from the site and that the floodlighting would not have any adverse impact on residential amenity. The environmental impact assessment which had been undertaken in respect of local bats, would, it was pointed out, be mitigated by the placing of a condition to ensure that the floodlights would not be operational between the 1st April and 30th September. Accordingly, the Committee was recommended to approve the application.

**The Committee granted approval, subject to the imposing of the conditions as outlined within the Case Officer's report.**

**Chairman's Remarks**

The Chairman drew the Committee's attention to the fact that the meeting had been the first occasion in over forty years in which the Council had exercised planning powers. He thanked the Members of the Committee and the officers for the work that had been undertaken in overseeing the transfer of the planning function to the Council.

Chairperson