

# Town Planning Committee

Thursday, 18th October, 2012

## MEETING OF TOWN PLANNING COMMITTEE

Members present: Councillor L. Patterson (Chair);  
Aldermen R. Patterson and Rodgers; and  
Councillors Lavery, Patterson, Rodgers, Austin, Curran,  
Garrett, Hussey, Kingston, McCabe, McCarthy, Mullan,  
Newton, O'Neill and Spence.

In attendance: Mrs. P. Scarborough, Democratic Services Section; and  
Mr. P. Montgomery ) Divisional  
Ms. E. Hanratty ) Planning Office.

### Apologies

Apologies for inability to attend were reported from Aldermen McCoubrey and Smyth and Councillors M. E. Campbell, Hanna and McNamee.

### Declarations of Interest

No declarations were reported.

### Routine Correspondence

It was reported that correspondence had been received from various statutory bodies, agencies and other organisations in respect of the undernoted:

Notification from the Northern Ireland Housing Executive of:

- the confirmation of the Belfast, Shankill Parade Extinguishment of Public Right of Way Order No. 4, 2012; and
- the extinguishment of the Belfast, Lawnbrook 2 RDA 143, Public Right of Way at Battenberg Street between its junction with Azamor Street from the rear corner of the gable wall of number 350 Shankill Road to a point on the frontage of number 3 Battenberg Street; and the passageway between numbers 14 and 16 Battenberg Street.

Notification from the Roads Service of:

- the proposed abandonment of paths at the rear of Dee Street Community Centre; and
- the effective date of the abandonment of the Public Right of Way at Templemore Street.

Copies of the correspondence in relation to the above-mentioned matters were made available at the meeting for the information of the Members.

The Committee noted the information which had been provided.

**Non-Determination of a Planning Application**  
**15 Donegall Place and 1 to 5 Fountain Lane**

The Committee was advised that correspondence had been received from the Area Planning Manager in respect of an appeal which had been lodged in relation to the non-determination of a planning application for two shop signs and one projecting sign at the above-mentioned location.

The correspondence had indicated that, under Paragraph 5.7 of the Revised Procedures for Appeal Hearings, the Planning Service was required to advise the appellant and any third parties of the Department's view on the proposal including, as appropriate, reasons for refusal. The Area Planning Manager had advised that the Department's view on the proposal was to refuse permission on the grounds that the proposal was contrary to Policy BH9 of the Planning Policy Statement 6: Planning, Archaeology and the Built Heritage, in that the building was listed under Article 42 of the Planning (Northern Ireland) Order 1991 and that the proposed signage would, if permitted, detract from the building's appearance and character and would result in a loss of its architectural integrity by reason of its detailed design which was out of keeping with the architectural form and design of the building in terms of size, scale, form and proportions.

The Committee noted the information which had been provided.

**Requests for Deputations**

It was noted that no requests had been received.

**Reports and Correspondence**

**Streamlining the Processing of**  
**Minor Planning Applications**

The Committee considered the undernoted report:

**“1.0 Relevant Background Information**

The Committee will recall that it had previously agreed to adopt revised arrangements with regard to the Council's determination of planning applications of a minor nature using the streamlined consultation process. The revised process applied to the following categories of application:

- extension and alterations to dwellings;
- minor works, for example, ATM machines, boundary walls, fences, roads in industrial estates, etc

- residential garages, garden sheds and other similar development within the cartilage of an existing dwelling;
- reserved matters (where there are no objections);
- advertisements and direction signs;
- electricity lines (up to 33 kv) and substations;
- change of house types on approved sites;
- shop fronts and minor alterations to commercial business and industrial premises;
- new accesses and hard standing serving development;
- agricultural buildings, structures and associated works;
- minor alterations and extensions to schools, churches, health centres and other educational, civic or community facilities; and
- other similar development proposals which are minor in nature, for example, smoking shelters and disability access arrangements.

At a subsequent meeting, the Committee agreed to the extension of the above list of types of planning applications which could be considered within the Streamlined Consultation Process, to include:

- conservation area consent;
- listed building consent;
- change of use;
- all extensions and alterations;
- floodlighting;
- housing applications for up to five dwellings;
- renewable energy generators;
- solar power;
- domestic wind turbines; and
- open space facilities.

## 2.0 Key Issues

The Minister of the Environment has written to the Council, dated 10 October 2012, advising that the existing scheme is being extended to include all applications currently considered under the streamlined consultation process together with the undernoted:

1. all other minor and intermediate applications;
2. housing applications up to a maximum of 25 units; and
3. office accommodation up to a maximum of 200 sq metres.

The Minister has advised that, to date, the majority of Councils have agreed to the enhanced scheme and have accepted that it will improve efficiencies as well as improving working relationships between the Department of the Environment and the Council.

In considering the Minister's letter, the Committee may wish to explore the implications of the existing streamlined planning system, any further extension to the system and the impact on the role of Members and the Committee including any support for more considered assessment of the streamlined list.

Previous guidance given by departmental officials stated that the level of streamlined delegation appropriate to each Council can be modified in discussion between the divisional manager and the authority and it may be appropriate to consider this in more detail in the context of current experiences and what is proposed.

Members will be aware that the current Belfast Divisional Planning Manager, Mr Neil Dunlop, is scheduled to retire in October 2012. As authorised by the Council's Strategic Policy and Resources Committee and the Council, Mr Dunlop is to be seconded to the Council on part-time basis from the 31 October 2012 to assist with the necessary preparations for the transfer of statutory planning. Accordingly, the Committee may wish to defer consideration of the Minister's letter to enable more detailed discussions and further exploration to take place at a special meeting.

**3.0 Resource Implications**

None

**4.0 Equality Implications**

None

**5.0 Recommendations**

**The Committee is asked to consider whether it wishes to defer consideration of the Minister's letter to enable more detailed discussions and further exploration to take place at a Special Committee meeting early in November 2012."**

After discussion, the Committee adopted the recommendation and agreed that a special meeting, to which all Members of Council would be invited, would be held on a date to be determined in conjunction with the Chairman (Councillor L. Patterson).

**Application Rejected by the Council**  
**311 Cavehill Road**

The Committee was reminded that, at its meeting on 3rd September, the Council agreed to amend the decision of the Town Planning Committee of 2nd August to adopt the opinion of the Area Planning Manager to approve a planning application in respect of the proposed demolition of an existing estate agent's building and the erection of a structure containing a new estate agent's office with four apartments above at 311 Cavehill Road.

The Committee was advised that correspondence had been received from the Area Planning Manager indicating that, whilst the Department had noted the views of the Council, it wished to advise the Committee that the decision to approve the application had been issued on 20th September.

Noted.

**Listing of First Ballymacarrett**  
**Presbyterian Lecture Hall, Paulett Avenue**

The Committee was reminded that, at its meeting on 6th October, 2011, it had been advised that further notification had been received from the Northern Ireland Environment Agency which had indicated that, after a period of consultation and consideration, it had decided that the above-mentioned building would not be listed. At that meeting, concern had been expressed by the Committee that no political representatives from the Ballymacarrett area had been consulted by the Environment Agency on the listing of the building and, subsequently, a letter had been issued to the Agency to express the Committee's concern and to seek information regarding the extent of any further consultation undertaken in respect of the building.

At its meeting on 2nd August, the Committee was informed that a response had been received on 27th June from the Northern Ireland Environment Agency which clarified the consultation process which had been undertaken and confirmed that the proper procedures had been followed in respect of the above-mentioned listing. At that meeting a Member expressed concern at the delay by the Northern Ireland Environment Agency in responding to the Council and at the unsatisfactory explanation which had been provided regarding the consultation process, in that the Committee had not been afforded the opportunity to consider the matter further prior to the final determination that the building would not be listed by that organisation. The Committee had subsequently agreed that a further letter be issued to the Northern Ireland Environment Agency expressing the Committee's concern in that regard.

The Committee was advised that further correspondence had been received from the Northern Ireland Environment Agency which reiterated the consultation process which had been undertaken and reaffirmed that the Committee's comments had been duly considered before the final decision had been made. The Agency apologised again for the delay in responding to the Committee's original letter.

Noted.

### New Applications

The Committee noted a list of new planning applications received by the Planning Service from 25th September until 8th October.

### Appeal Decisions Notified

The Committee noted the outcome of a planning appeal in respect of the change of use and extension to the dwelling at 599 Antrim Road to form a thirty-three bed nursing home, car parking and gardens.

### Deferred items still under consideration

The Committee noted a list of deferred items which were still under consideration by the Belfast Planning Office.

### Streamlined Planning Applications Decisions Issued

The Committee noted a list of streamlined planning applications' decisions which had been issued by the Planning Service between 26th September and 9th October

### **THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL**

#### Reconsidered Items

The Committee considered further the undernoted planning applications and adopted the recommendations of the Divisional Planning Manager thereon:

<u>Site and Applicant</u>	<u>Proposal</u>	<u>Divisional Planning Manager's Opinion</u>
3 Skegoneill Avenue, Mr. B. McKeating	Change of use from ground floor apartment to coffee shop and creation of a new level access ramp, seating area and new bin storage area. Existing first and second floor apartments to remain unchanged	Refusal
569 Ormeau Road, East Coast Fuels	Renovation and extension of shop, renovation of filling station forecourt and new ATM	Approval
E3 Springvale Campus, Belfast Metropolitan College	Proposed overflow surface car park ancillary to existing further education college campus with associated site works and vehicular and pedestrian access	Approval

**Schedule of Planning Applications**

The Committee considered the schedule of planning applications which had been submitted by the Divisional Planning Manager in respect of the Council area and agreed to adopt the recommendations contained therein with the exception of that referred to below:

<u>Site and Applicant</u>	<u>Proposal</u>	<u>Divisional Planning Manager's Opinion</u>
114 Springfield Road, Charles Kyles	Change of use of ground floor to an amusement arcade [Deferred at the request of Councillors Hartley and Keenan to enable an office meeting to take place.]	Approval

Chairman