

# Planning Committee

Tuesday, 19th April, 2016

## MEETING OF PLANNING COMMITTEE

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

In attendance: Mr. J. Walsh, Town Solicitor;  
Mr. K. Sutherland, Development Planning and Policy  
Manager; and  
Miss. E. McGoldrick, Democratic Services Officer.

### Apologies

An apology was reported on behalf of Councillor Bunting.

### Minutes

The minutes of the meeting of 15th March 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 April, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

### Declarations of Interest

Regarding item 7.g on the agenda, i.e., LA04/2016/0314/F - 2 storey rear extension at 41 Owenvarragh Park, Councillor McAteer indicated that she knew the applicant.

### Committee Site Visit - 6th April, 2016

Pursuant to its decisions at the meeting of 15th March, it was noted that the Committee had undertaken a site visit on Wednesday, 6th April in respect of the following applications:

- LA04/2015/0419/F - Mixed use development to include 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop at 78 College Avenue.

### **Abandonment Public Rights of Way**

#### **Notice of Intention - Wandsworth Court**

The Committee noted the receipt of correspondence from the Department for Regional Development, which related to the proposed abandonment of a Public Right of Way at Wandsworth Court.

#### **Notice of Making - Thorburn Road**

The Committee noted the receipt of correspondence from the Department for Regional Development, which related to the abandonment of a Public Right of Way at Thorburn Road.

#### **Notice of Listing of Buildings**

With the permission of the Chairperson, the Democratic Services Officer informed the Committee that correspondence had been received from the Department of the Environment confirming the listing of council owned property of special architectural or historic interest, as follows:-

- Bandstand at Woodvale Park;
- Parliamentary Boundary Post, beside 14 Gilnahirk Road; and
- Parliamentary Boundary Post, beside 109 King's Road.

Noted.

### **Planning Appeals Notified**

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

### **Planning Decisions Issued Under Delegated Authority**

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place and the Town Solicitor between 9th March and 12th April.

### **Departmental Performance Update (Oral Update)**

The Development Planning and Policy Manager provided an overview of the Department's performance to date.

Noted.

**Miscellaneous Items**

(Councillor Campbell entered the meeting at this point.)

(Councillors Heading and McDonough-Brown had left the meeting whilst the following Miscellaneous Items were under consideration.)

**NIEA Proposed Listed 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 of a number of buildings in Belfast.

The Committee was reminded that Article 80 (3) of the Planning Act (NI) 2011 required the agency to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

After discussion, the Committee agreed with the Agency's proposals to list the following buildings:

- 217 Holywood Road, Belfast, Co. Down, BT4 2DH;
- Shaftesbury Square Reformed Presbyterian Church, 72 Dublin Road, Belfast, BT2 7HP; and
- 683 Antrim Road, Belfast, Co. Antrim, BT15 4EG.

**Consultation - Proposals for the removal of Ecclesiastical Exemption**

The Committee considered the following report, together with the Department of the Environment's consultation paper: A Consultation on Ecclesiastical Exemption, which had been published on the Council's website:

**“1.0 Purpose of Report or Summary of main Issues**

**1.1 A consultation paper has been issued by the DOE containing a proposal to end the system of ecclesiastical exemption in Northern Ireland whereby churches do not need to apply for listed buildings consent. The purpose of the paper is to obtain the agreement of the Planning Committee on the position of Planning Service not to object to the proposed change. The closing date for responding to the consultation is the 13 June 2016.**

**2.0 Recommendations**

**2.1 Committee is requested**

- To consider the information provided

- To agree to with Planning Service opinion not to object to the proposed change to remove ecclesiastical exemption.

**3.0 Main report**

**Key issues**

- 3.1** Listed Churches / other places of worship are exempt under planning legislation from the requirement to obtain listed building consent. This is known as ‘Ecclesiastical Exemption’. Northern Ireland is in line with the rest of the UK in this respect.
- 3.2** Internal procedures operated by church bodies in other parts of the UK equate to a listed building consent regime. These procedures have not been operated by church bodies here.
- 3.3** This has led, in some instances, to the loss of historic fabric and elements of significance that form part of the essential character of these buildings. 45 churches have been delisted due to inappropriate alterations.
- 3.4** NIEA therefore propose to remove the ecclesiastical exemption currently enjoyed by churches here. The proposed change has resulted from a recommendation of a Ministerial committee set up to examine this issue, comprising DOE officers and Historic Buildings Council Members.
- 3.5** This change will not require amendment to the legislation but would be brought in via Departmental Direction.
- 3.6** The effect of the change will mean that listed building consent will be required for external and internal changes proposed that would affect the character of the church building.
- 3.7** This would bring NI into line with practice in the ROI. Often full applications are required for works proposed by churches and so the proposed change will not in the majority of cases result in additional expense in terms of preparing architects drawings.
- 3.8** There is no fee in respect of a Listed Building Consent application.

- 3.9 NIEA proposes to prepare detailed guidance on works to churches which would be published in parallel to the removal of the exemption.
- 3.10 The Planning Committee is requested to note the above and agree with the position of Planning Service not to object to the proposed change.

**Proposed Planning Service Response to Consultation Paper**

- 3.11 Belfast City Council notes the content of the Consultation Paper on Ecclesiastical Exemption. There is no objection to the proposed change to remove ecclesiastical exemption and require listed building consent when needed for alterations to places of worship. It is assumed that DOE in proposing this change is adequately resourced to implement it effectively.

3.12 **Financial & Resource Implications**

None

3.13 **Equality or Good Relations Implications**

None”

After discussion, the Committee agreed not to object to the proposed change to remove ecclesiastical exemption as outlined in 3.11 of the report.

**Consultation - Proposals for a new Historic Environment Fund**

The Committee considered the following report, together with the associated consultation paper: Proposals for a new Historic Environment Fund which had been published on the Council’s website:

“1.0 **Purpose of Report or Summary of main Issues**

- 1.1 A consultation paper has been issued by the DOE containing proposals on how funding of the historic environment through heritage projects will be administered. The purpose of the paper is to obtain the agreement of the Planning Committee on the response of Planning Service as contained in this report. The closing date for responding to the consultation is the 6 June 2016.

**2.0 Recommendations**

**2.1 Committee is requested**

- To consider the information provided
- To agree to with the proposed Planning Service consultation response.

**3.0 Main report**

**Key points from Consultation Paper**

**3.1 The paper acknowledges an environment of funding cuts for heritage projects.**

**3.2 The objective of the consultation is to seek views on the funding of access, enjoyment and protection of the historic environment.**

**3.3 The paper notes that the historic environment in NI produces lower levels of output, employment and GVA per capita than neighbouring jurisdictions.**

**3.4 The consultation states that the historic environment can be used to the benefit of local communities with very significant economic, social and environmental benefits; public funding often provides a lever for wider investment**

**3.5 The paper proposes 4 strands of funding with % allocations of the fund to each –**

**Heritage Research (10 – 20%) – research and publications**

**Heritage Regeneration (10 – 30%) – community led projects (e.g. Trusts), council led projects at scheduled monuments, heritage at risk projects – e.g. acquisition by Building Preservation Trusts, including listed buildings on the HAR owned by Councils. Listed buildings not at risk in council ownership will not be eligible.**

**Heritage Repair (40 – 60%) - scheduled monuments, listed buildings (up to 20% of project costs), historic windows repair (up to 35% of costs), thatched buildings, small places of worship fund**

**Heritage Revival (10 – 20%) – annual heritage rewards, historic environment support fund, skills development training, school trips**

- 3.6 Funding proposals will be set out against defined criteria –**
- Conservation and enhancement of the historic environment**
  - Economic Impact – contribution to tourism and to supporting communities**
  - Economic Impact – supporting construction and associated industries**
  - Social benefits – creating broader and deeper understanding of our heritage**
  - Social benefits – enhancing public engagement with the historic environment**
- These are consistent with the principles of sustainable management of the historic environment.**
- 3.7 Proposals will also assessed against universal conservation principles of –**
- minimum intervention, maximum retention of historic fabric, clarity, reversibility and sustainability**
- 3.8 Funding will be capped at £50,000 though batching of applications for high value projects will be possible**
- 3.9 In the event of restricted funding priority will be given to structures on the HAR, thatched buildings and buildings owned by applicants in receipt of enhanced rates of grant.**

**Proposed Planning Service Response to Consultation Paper**

- 3.10 In broad terms Council endorses the overall approach of the Historic Environment Fund – however it should be stated that all impacts are of equal weight as long term sustainable heritage protection will only come about through the process of education and increasing understanding of and value placed in our historic environment.**
- 3.11 Although Council would have nothing in principle against funding heritage research the efficacy of this may be questioned in an era of financial constraint when alternate sources of funding are available – e.g. for universities funding. Post-excavation funding could be met through realistic developer-funded agreements.**
- 3.12 Under the Heritage Regeneration strand there is n major emphasis on Heritage at Risk projects. In an era of austerity targeting and prioritisation may be inevitable and it may be reasonable to target scare resources at heritage most in danger. However there may be a danger that valuable projects that could be unlocked bringing substantial**

community / social / economic benefits may be lost by such a focus.

- 3.13 A bigger issue related to access is that to scheduled monuments not in state care, the restricted resource available for European Heritage Open Days (which could be expanded to at least a heritage week) and access to other sorts of heritage, as well as improved interpretation, on and off site.
- 3.14 It appears somewhat incongruous given that the Consultation paper acknowledges a diminished and uncertain level of funding, that funding historic environment projects through loans or use of a revolving fund (on sale of assets) was not considered. It is conceded that these funding options would require substantial resources to administer.
- 3.15 Similarly there is nothing on the possible greater use of enabling funding or use of Planning Agreements under Article 76 of the Planning Act (NI) 2011.
- 3.16 The Heritage Repair funding stream relates to listed buildings, window repair and thatched buildings. It is not clear if grant is available for window repair outside of listed buildings – i.e. whether buildings in Conservation Areas or Areas of Townscape Character will be able to apply for such funding.
- 3.17 Council would raise a generalised concern here that the funding streams under the Heritage Repair strand appear somewhat narrow and other important building elements such as roof (non thatch), walls, rainwater goods etc. – essential to building survival are excluded.
- 3.18 The paper also does not make clear how additionality will be assessed. It should be explicit that an assessment of private resources available to fund these repairs will be carried out to ensure that scarce public monies are only bringing about projects that could not have occurred anyway.
- 3.19 It is noted that funding will be capped at £50,000, though batching of applications will be possible. It is not clear how many batches will be possible. A cap of £50,000 appears somewhat arbitrary and may well result in worthwhile projects not being brought to fruition.

Page 32 of the Consultation paper refers to an intention to ensure ‘dispersal’ of funding across the region. If this is the



intention it may be preferable if explicit criteria were provided to ensure an equitable distribution of funding occurs.

3.20 It is noted that there is no explicit reference to industrial heritage.

3.21 Financial & Resource Implications

None

Equality or Good Relations Implications

None.”

With the permission of the Chairperson, the Development Planning and Policy Manager also tabled the full draft response to the Department of the Environment’s Consultation on the Historic Environment fund for consideration.

The Development Planning and Policy Manager highlighted the main points from the tabled response to assist the Committee, as follows:

- ***In broad terms Council endorses the overall approach of the Historic Environment Fund – however it should be stated that all impacts are of equal weight as long term sustainable heritage protection will only come about through the process of education and increasing understanding of and value placed in our historic environment;***
- ***More consideration could be given to broader approaches to funding such as developer-funded agreements;***
- ***Prioritisation could be given to funding heritage led regeneration;***
- ***Need to consider access to sites as well as improved interpretation, on and off site;***
- ***The Heritage Repair funding stream relates to listed buildings, window repair and thatched buildings. It is not clear if grant is available for window repair outside of listed buildings – i.e. whether buildings in Conservation Areas or Areas of Townscape Character will be able to apply for such funding;***
- ***The suggestion that the funding streams under the Heritage Repair are available to other important building elements such as roof (non thatch), walls, rainwater goods etc;***

- *The consultation does not make clear how additionality will be assessed. It should be explicit that an assessment of private resources available to fund repairs is part of the process;*
- *It is noted that funding will be capped at £50,000, though batching of applications will be possible. It is not clear how many batches will be possible and the cap of £50,000 could limit the potential to bring projects to fruition without clearer guidance;*
- *Consideration could be given to means testing proposals;*
- *The consultation paper refers to an intention to ensure 'dispersal' of funding across the region. If this is the intention it may be preferable if explicit criteria were provided to ensure an equitable distribution of funding occurs; and*
- *It is noted that there is no explicit reference to industrial heritage which should be addressed in any final document.*

The Committee approved the draft consultation response as tabled and outlined at the meeting for submission to the Department of the Environment.

#### **Consultation - Strategic Planning Policy 'Development in the Countryside'**

The Committee considered the following report, together with the associated documents which had been published on the Council's website:

##### **"1.0 Purpose of Report or Summary of main Issues**

- 1.1 **The Minister of the Environment committed to undertake a review of regional strategic planning policy for development in the countryside following the publication of Strategic Planning Statement (SPPS) 'Planning for Sustainable Development' in its final form in 2015. Members will be aware the SPPS consolidated some twenty separate policy publications into one document, setting out strategic planning policy in relation to a wide range of subject policies, including regional policy for Development in the Countryside. A copy of the SPPS Subject Policy 'Development in the Countryside' is available on the Council's website.**
- 1.2 **The aim of the SPPS with regard to the countryside is to manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural**

communities consistent with the Regional Development Strategy 2035.

1.3 The current strategic policy approach is to cluster, consolidate and group new development with existing established buildings and promote the re-use of previously used buildings. The SPPS identifies a range of development types (both residential and non-residential) which in principle are considered to be acceptable in the countryside and provides that other types of development will be considered as part of the development plan process in line with the other policies set out within the SPPS.

1.4 The purpose of the report is to make members aware of the Calls for Evidence for Development of the Countryside and seek approval for the draft response outlined in paragraphs 3.2 and detailed on the Council's website.

## 2.0 Recommendations

2.1 Members are asked to consider and, if appropriate agree the draft response to the Call for Evidence: Development in the Countryside outlined in paragraph 3.2 and detailed on the Council's website.

## 3.0 Main report

3.1 The Council welcomes the opportunity to respond to a 'Call for Evidence' for Development of the Countryside. The 'Call for Evidence' process will improve the DoE's understanding of the operation and impact of the existing strategic policy and provide up-to-date evidence on the social, environmental and economic impacts of development in the countryside. The DoE is particularly keen on views on how strategic planning policy should assist with achieving sustainable development to support vibrant rural communities, without compromising our natural and built environment, and other assets of acknowledged importance.

## 3.2 Key Issues

The Council supports the broad aims of the SPPS with regard to Development in the Countryside to 'manage development in a manner which strikes a balance between protection of the environment from inappropriate development, while supporting and sustaining rural communities.' The following are the key issues from the draft Council response to DoE's Call for Evidence – Development in the Countryside (copy

available on the Council's website). It is recommended that Council:

- Supports the intention to maintain sustainable rural communities.
- Recognises the value of Northern Ireland's unique natural resource, its diverse ecosystems and biodiversity and the need to retain its sensitive landscape character of our rural resource for future generations.
- Recommends a more proactive approach to managing land for development and to ensure planning policies are put in place to accommodate selective, modest growth based on rural settlements.
- Welcomes further detail on Special Countryside Areas i.e. how to define, manage and monitor the designation as well as its proposed implications to the planning system. As part of this work, the DoE should clarify:
  - If there scope to control pressures of urban sprawl and less sustainable development in rural areas immediately adjacent to towns and cities under the Special Countryside Areas;
  - if additional protection could be afforded to Areas of Outstanding Natural Beauty (AONB) and the wider countryside
- Supports the protection of our natural and built environment and recognises that in formulation of the LDP all Council's are responsible for the protection of the wider environment as a sustainable asset for all future generations.
- Supports the precautionary principle as vital in plan making in particular when outlining proposed land use zonings, locations for development and settlement limits where it must take full account for implications on natural heritage features and landscape character. Through effective planning practices, the potential for adverse environmental impact can be minimised and enhancement features secured.
- Recognises the function of rural areas to the local and regional economy in providing services to the wider catchment population. Agriculture, farm diversification and forestry will continue to be important defining elements of rural life. Prime quality agricultural land should continue to be protected and should not be eroded in a piecemeal way but only

used to meet strategic development objectives. The term 'active farm' should be defined in the SPPS along with additional guidance on farm diversification, agriculture and forestry development.

- Support design standards compliance with published guidance/advice using sustainable materials, where appropriate, and energy efficiency. Criteria should be consistently applied through planning policy and development management, consider sustainability along with greater weight should be attached to the provisions of the 'Building on Tradition' rural design guide.
- Across most rural areas innovative and flexible approaches should only be considered to deliver affordable houses in suitable numbers, with the focus on existing settlements rather than new clusters in the open countryside.
- Request clarification on monitoring arrangements to ensure any criteria to facilitate dwellings outside existing settlements seeks to achieve a suitable balance rather than follow a trend that has resulted in high levels of approvals for single dwellings in the countryside.
- Seeks assurances effects on natural and built heritage are considered and the suite of environmental protections in the countryside should be closely monitored to mitigate loss of our assets, natural habitats, ecosystems, biodiversity and indeed the amenity value and character of our unique rural countryside environments.

### **3.3 Finance and Resource Implications**

There is no resource implications associated with this report.

### **3.4 Asset and Other Implications**

The evidence received by DoE following the 'Calls for Evidence' may have implications on the policy making process of the LDP.

### **3.5 Equality or Good Relations Implications**

There are no relevant equality and good relations implications attached to this report."

The Committee approved the draft consultation response for submission to the Department of the Environment.

**Consultation - Strategic Planning Policy 'Renewable Energy'**

The Committee considered the following report, together with the consultation and proposed draft response to the Department of the Environment's Call for Evidence: Renewable Energy, and the Strategic Planning Policy Statement for Northern Ireland (SPPS) current Policy for 'Renewable Energy Development':

**"1.0 Purpose of Report or Summary of main Issues**

- 1.1 The Minister of the Environment committed to undertake a review of regional strategic planning policy for renewable energy following the publication of Strategic Planning Statement (SPPS) 'Planning for Sustainable Development' in its final form in 2015. Members will be aware the SPPS consolidated some twenty separate policy publications into one document, setting out strategic planning policy in relation to a wide range of subject policies, including regional policy for Renewable Energy Development. A copy of the SPPS Subject Policy 'Renewable Energy' is available on the Council's website.**
- 1.2 The aim of the SPPS in relation to renewable energy is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance. The regional strategic objectives for renewable energy are to:**
- ensure that the environmental, landscape, visual and amenity - impacts associated with or arising from renewable energy development are adequately addressed;**
  - ensure adequate protection of the Region's built and natural, and cultural heritage features; and**
  - facilitate the integration of renewable energy technology into the design, siting and layout of new development and promote greater application of the principles of Passive Solar Design.**
- 1.3 Depending, in part, upon the evidence received following the 'Calls for Evidence', the scope of the forthcoming reviews will be refined to focus on the key matters that need to be addressed. The subsequent reviews will be the subject of Strategic Environmental Assessment (SEA).**
- 1.4 The purpose of the report is to update and make members aware of the Calls for Evidence for Renewable Energy**

Development and seek members approval on the proposed draft response set out in paragraph 3.5.

**2.0 Recommendations**

**2.1** Members are asked to consider and, if appropriate agree the proposed draft response to the Call for Evidence: Renewable Energy (copy available on the Council's website).

**3.0 Main report**

**3.1 Key Issues**

The Department of Environment (DoE) issued a formal 'Call for Evidence' for Renewable Energy Development. The 'Call for Evidence' process seeks to gather the necessary information from interested parties and their views or concerns as part of a review of strategic planning policy which will influence future Local Development Plan (LDP) policies. The DoE through the review is calling greater understanding of the operation and impact of the existing strategic policy and evidence on the social, environmental and economic impacts of developments. The DoE is particularly keen on views in relation to how strategic planning policy can assist in addressing potential amenity issues that may arise as a result of facilitating all types of renewable energy development (e.g. wind, solar, water (hydropower), geothermal energy, biomass).

**3.2** The Council welcomes the broad aim of the SPSS for sustainable development across Northern Ireland. Within this context, the key issues are set out in the draft Council response to DoE's Call for Evidence: Renewable Energy. In summary, it is proposed Council:

- Supports the increase of the use and supply of renewable energy and their contribution towards sustainable development without overriding environmental assets of acknowledged importance.
- Takes into account the potential and cumulative impacts of siting and scale of renewable energy technologies on the local environment with particular regard to wind turbines and large scale solar farms.
- Identifies Landscape Character Areas through Landscape Character Assessments to assess likely impacts of proposals and identify areas suitable for renewable energy technologies to assist managing development.

- Introduces a requirement for community benefits for significant renewable energy proposals through contributions, contracts and/or employment.
- Affords protection to sensitive landscapes such as Areas of Outstanding Natural Beauty and wider settings.

### **3.3 Finance and Resource Implications**

There is no resource implications associated with this report.

### **3.4 Asset and Other Implications**

The evidence received by DoE following the Calls for Evidence may have implications on the policy making process of the LDP.

### **3.5 Equality or Good Relations Implications**

There are no relevant equality and good relations implications attached to this report.”

The Committee approved the draft consultation response for submission to the Department of the Environment.

Arising from discussion, the Committee noted that further guidance and information would be provided to the Committee regarding renewable energy at a future Planning Workshop.

## **Consultation - 'Permitted Development Rights for Mineral Exploration'**

The Committee considered the following report, together with the associated documents which had been published on the Council's website:

### **“1.0 Purpose of Report or Summary of main Issues**

- 1.1 This report seeks to provide the background on the Call for Evidence on Permitted Development Rights for Mineral Exploration and seek members' approval for a Council response.**
- 1.2 The Department of the Environment (DOE) has issued a 'Call for Evidence' to inform the future approach to Permitted Development Rights for Mineral Exploration as set out in Part 16 of the schedule to the Planning (General Development Order) Northern Ireland (2015).**
- 1.3 The 'Call for Evidence' is to support the forthcoming review of the existing provisions on permitted development rights for**



mineral exploration and the balance between operational activity and environmental protection.

1.4 The closing date for submission is the 13th May 2016. The proposed draft response is available on the Council's website for consideration.

2.0 Recommendations

2.1 Members are asked to:

- Consider the draft document, 'Draft Council response to DoE's Call for Evidence: Permitted Development Rights of Minerals Exploration' and if appropriate approve its submission to the DoE as the Council's response to the Call for Evidence. (copy available on the Council's website)

3.0 Main report

Key Issues

3.1 The aim of the call for evidence is part of a process of gathering the necessary information to inform the subsequent review of permitted development rights for mineral exploration. It is in response to concerns raised from an elected member and seeks to gather information on the operation and impact of the permitted development rights which currently exist alongside up-to- date evidence on the social, environmental and economic impacts of exploratory development for minerals going forward.

3.2 Members may recall that there was a Notice of Motion on permitted development to conduct exploratory petroleum drilling at Woodburn Reservoir in Carrickfergus at the September Council meeting. Council agreed to write to the Minister of Enterprise, Trade and Investment, the Minister of the Environment and Mid and East Antrim Council to review the decision to grant permitted development for exploratory drilling in Woodburn Forest and for the Minister of Environment to amend the law to ensure petroleum exploration required planning consent. (Copy available on the Council's website)

3.3 The response from DETI confirmed that whilst significant environmental information was provided by InfraStrata Plc as part of the license process a formal SEA was not deemed necessary at the time of issuing PL1/10 to the company.

- 3.4 The Minister of Environment subsequently launched the ‘Call for Evidence’ on the review of Permitted Development Rights for Mineral Exploration to provide the opportunity to express views on the operation of the planning processes. The evidence will inform the Department’s understanding of the operation and impact of the existing permitted development rights set out in Part 16 of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015 and provide the opportunity for the Council to provide views on whether the existing development rights for onshore oil and gas exploration needs to be modified or changed.
- 3.5 The recommended response is set out (copy available on the Council’s website). In summary, the key recommendations are that, if Permitted Development is to be retained, there needs to be clear guidance in relation to the notification process and information requirements to enable planning authorities to effectively consider proposals.
- 3.6 **Finance and Resource Implications**
- There is no resource implications associated with this report.
- 3.7 **Asset and Other Implications**
- 3.8 **Equality or Good Relations Implications**
- There are no relevant equality and good relations implications attached to this report.”

The Committee approved the draft consultation response for submission to the Department of the Environment (DOE), with the addition that any final guidance should require that the DOE or relevant Planning Authority consult and give notice to neighbouring councils on such matters.

### **Planning Applications**

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

**Reconsidered Item - LA04/2015/0419/F - Mixed use development to include 647 standard bedrooms and 93 studio rooms managed student residential building with ground floor shop at 78 College Avenue**

(Councillors Heading and McDonough-Brown returned to the Committee table at this point.)

(Councillor Campbell had left the meeting whilst the item was under consideration.)

The Committee was reminded that, at its meeting on 15th March, it had deferred consideration of an application for a mixed use development of 647 standard bedrooms and 93 studio rooms managed student residential building, with a ground floor shop at 78 College Avenue. That decision had been taken to enable the Committee to undertake a site visit in order to acquaint Members with the site and to assess the issues which had been raised in respect of the size and scale of the proposed building, together with its potential impact on the surrounding residential areas.

The Committee approved the application and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated authority to the Director of Planning and Place, in conjunction with the Town Solicitor, to enter into discussions with the applicant to explore the scope of any Planning Agreements which might be realised by way of developer contributions.

Arising from discussion, the Committee also agreed that a workshop would be provided regarding Section 76 of the Planning Act (Northern Ireland) 2015.

(Councillor Campbell returned to the Committee table at this point).

**Z/2014/1759/F - Replacement Policing Museum at PSNI Headquarters,  
5 Knock Road**

The case officer outlined the principal aspects of an application for the demolition and clearance of an existing site for the construction of a replacement Policing Museum, with associated coach set down and pedestrian access.

She highlighted that the site was located within the development limits of Belfast, in the Belfast Metropolitan Area Plan and was identified as whiteland.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer's report.

**LA04/2015/0224/F- Retention, conversion and extension of former convent house for 6 one-bedroom and 6 two-bedroom apartments St. Malachy's Convent / Sussex Place / Joy St**

The Committee considered an application for the retention, conversion and extension of a former convent house for six one-bedroom and six two-bedroom apartments (12 in total).

The case officer advised that additional information had been received from the Ulster Architectural and Heritage Society regarding the reinstatement of the gothic arch door as part of the rebuilding of the historic 2.5 metre high wall to the front of the building. She advised that this could be included within the conditions of the decision notice as part of the planning approval recommendation.

The case officer highlighted that the site was located within the Linen Conservation Area and that the principle of the development was acceptable,

given the fact that the proposal was bringing a listed building back into use which would not conflict with the area plan designations.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report and the aforementioned additional condition.

**LA04/2016/0057/F- Centralised anaerobic digestion plant, combined heat and power plant at 101b Airport Road West**

(Councillor Heading had left the meeting whilst the item was under consideration.)

The Committee was apprised of the principle aspects of an application which sought permission for a proposed Centralised Anaerobic Digestion (CAD) plant, combined heat and power (CHP) plant, ancillary plant and site works.

The case officer advised that the site was located within the development limits of Belfast in the Belfast Metropolitan Area Plan (BMAP) and the proposed use was considered to be acceptable at this location. She highlighted that the proposal was located within an area that contained employment uses and was not located in or abutting a primarily residential area.

After discussion, the Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

**LA04/2015/1046/F - 12 apartments at 149-153 Springfield Road**

The Committee was informed that the application sought permission for the demolition of an existing public house and the erection of 12 apartments (2 and a half/ 3 storey) with a service area and courtyard to the rear.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

**LA04/2015/1164/F - 8 dwellings at 172-174 Finaghy Road South**

The Committee considered an application for a residential development comprising of eight detached dwellings with associated car parking and landscaping.

The case officer outlined the principle aspects of the proposal and explained that, after assessment, it had been recommended for refusal on the following grounds:

- The proposal was contrary to Policy QD1 of Planning Policy Statement 7 in that it would, if permitted, result in the overdevelopment of the site due to its inappropriate siting, layout, scale, form, massing and design, causing unacceptable damage to the character and appearance of the area. The proposal would fail to provide a quality and sustainable residential environment;

- The proposal was contrary to Policy LC1 of Planning Policy Statement 7 (Addendum) Safeguarding the Character of Established Residential Areas in that it would, if permitted, result in a significantly higher density and a development pattern which was not in keeping with this established residential area;
- The proposal was contrary to Policy QD1 of Planning Policy statement 7: "Quality Residential Environments" in that it would, if permitted, result in the overdevelopment of the site causing harm to the living conditions of existing and prospective residents through dominance and overlooking resulting in a loss of residential amenity, and would be harmful to the living conditions of prospective residents due to the poor outlook. The proposed development would therefore fail to create a quality residential environment; and
- The proposal was contrary to Planning Policy Statement 3: Access, Movement and Parking; Policy AMP 7, Car Parking and Servicing Arrangements, and Planning Policy Statement 7: Quality Residential Environments, in that it would, if permitted, prejudice the safety and convenience of road users since the applicant had failed to demonstrate that adequate provision could be made clear of the highway for the turning of service vehicles that would be attracted to the site.

The Committee refused the application for the reasons as set out in the case officer's report.

**LA04/2016/0314/F - 2 storey rear extension at 41 Owenvarragh Park**

(Councillor McDonough-Brown had left the meeting whilst the item was under consideration.)

(Councillor McAteer, who had declared an interest in this application, took no part in the debate or decision-making process.)

The Committee was informed that the application sought permission for a two storey rear extension.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the applicant was a member of Council staff.

The Committee granted approval, subject to the imposing of the conditions set out within the case officer's report.

Chairperson