MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in the Banqueting Hall - City Hall on Tuesday, 19th September, 2017 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

SUZANNE WYLIE
Chief Executive

AGENDA:

1. **Routine Matters**
   (a) Apologies
   (b) Minutes (Pages 1 - 28)
   (c) Declarations of Interest

2. **Committee Site Visit** (Pages 29 - 30)

3. **Planning Appeals Notified** (Pages 31 - 32)

4. **Planning Decisions Issued** (Pages 33 - 60)

5. **Departmental Performance Update (to be tabled)**

6. **Proposed abandonments/Extinguishments** (Pages 61 - 68)

7. **Miscellaneous Items**
   (a) Presentation by Historic Environment Division on Listed Buildings
8. **Planning Applications**

(a) Deferred LA04/2016/0400/F Apartment development (28 units) on lands at 230 Belmont Road (Pages 99 - 114)

(b) Deferred LA04/2015/0670/F Residential development of 53 units comprising 33 detached, 4 semi-detached and 16 apartments on lands at Castlehill Manor, Castlehill Road. (Pages 115 - 132)

(c) Deferred LA04/2016/0487/F Change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension. (Pages 133 - 144)

(d) LA04/2017/0623/F and LA04/2017/0628/DCA Single storey rear extension, rear dormer and first floor extension to rear. First floor front extension at 10 Broomhill Park (Pages 145 - 152)

(e) LA04/2016/2196/F Demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works at St Patricks Primary School, 9-25 Pim Street, Belfast (Pages 153 - 164)

(f) LA04/2017/0986/F Change of use from single dwelling to house of multiple occupancy (HMO) 10 Ardenlee Green (Pages 165 - 170)

(g) LA04/2017/1609/F Change of use from residential to HMO 5 Cricklewood Crescent (Pages 171 - 178)

(h) LA04/2016/2205/F Erection of two storey dwelling (revised scheme) West and rear of 2 Knockdarragh Park (Pages 179 - 192)

(i) LA04/2017/1008/F and LA04/2017/1010/LBC Demolition of single storey rear extension and partially 2 storey rear extension with internal alterations. Erection of 2 storey rear extension and bin/cycle store. 12 Upper Crescent (Pages 193 - 200)
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Planning Committee

Tuesday, 15th August, 2017

MEETING OF PLANNING COMMITTEE

Members present: Councillor Lyons (Chairperson); Alderman McGimpsey; Councillors Armitage, Bunting, Carson, Dorrian, Garrett, Hussey, Hutchinson, Johnston, Magee, McAteer, and Mullan.

In attendance: Mr. P. Williams, Director of Planning and Place; Mr. J. Walsh, City Solicitor; Ms. N. Largey, Divisional Solicitor; and Ms. E. McGoldrick, Democratic Services Officer.

Apologies

An apology was reported on behalf of Councillor McDonough-Brown.

Minutes

The minutes of the meeting of 20th June were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st July, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Armitage declared an interest regarding item 11.c) LA04/2015/1465/F Demolition of rear hall and provision of annexe at Bloomfield Presbyterian Church, in that he had met with residents regarding the application, however, he indicated that, during those discussions he had not committed himself to any particular course of action in relation to the application.

Regarding item 11.c) LA04/2015/1465/F Demolition of rear hall and provision of annexe at Bloomfield Presbyterian Church, Councillor Dorrian declared an interest, in so far as he had received contact from residents, however, he indicated that he had not committed himself to any particular course of action in relation to the application.

Regarding item 11.d) LA04/2015/0773/F Demolition of existing building and erection of new building to extend the facilities within the existing orthodontic clinic located at 218 Ormeau Road, Councillor Lyons, declared an interest, in so far as he had discussed the proposal with local residents. He also declared an interest in relation to items 11.i) LA04/2017/0361/F and 11.j) LA04/2016/2360/F - Subdivision of retail unit 1 into 2 retail units at Hillview Retail Park, Crumlin Road, in that he had previously had a working relationship with objectors, however, he indicated that he had not committed himself to any particular course of action in relation to the application.
Recruitment of Operational Director of Planning and Building Control

The Committee was reminded that, at its meeting on 23rd June, the Strategic Policy and Resources Committee had agreed that the selection panel to recruit the post of Operational Director for Planning and Building Control in the new Place and Economy Department would be constituted by the Planning Committee at its meeting in August 2017.

It was reported that the Committee should nominate and agree three elected members for this selection panel who, along with the Chief Executive and City Solicitor, would balance the panel in terms of gender and community background.

The Committee agreed that:

- the composition of the selection panel to recruit the post of Operational Director for Planning and Building Control would be three elected members, along with the Chief Executive and City Solicitor;
- the panel would comprise of the Chairperson and the Deputy Chairperson of the Planning Committee (or their nominees) and a third elected member (either Cllr. Johnston or Cllr. Carson, or their nominees) with the Human Resources Section liaising with the Members to ensure the selection panel was balanced both in terms of gender and community background; and
- a targeted and timely proactive executive search approach be initiated to ensure a strong and competent applicant field for the job.

Quarter 1 – Finance Update

The Committee noted the contents of a report which provided an overview of the financial position of both the Planning and Licensing Committees, as at the end of the first quarter of the financial year. It was noted further that, as at 30th June, there had been a net over-spend of £141k, however, the forecast year-end departmental position was an under-spend of £61k (4.2%).

Committee Site Visit

Pursuant to its decision of 20th June, it was noted that the Committee had undertaken a site visit on 8th August in respect of planning application LA04/2016/0487/F - Change of use from dwelling to coffee shop, single storey side and rear extension at 1 St. Agnes Drive, Andersonstown Road.

Section 29 Directions – referral to Department for Infrastructure for determination

LA04/2017/0474/F – Casement Park Stadium

It was reported that correspondence had been received from the Department for Infrastructure (DfI) notifying the Council of the regional significance of an application
which proposed re-development of Casement Park to provide a new Stadium (capacity of 34578) at lands at 88-104 Andersonstown Road and between 36-42 Morrelan Park and 202-206 Stockman’s Lane (full description available here). As a result of it being classified as ‘Regionally Significant’ under Section 26 of the Planning Act (NI) 2011, DfI would be responsible for determining the application.

Noted.

LA04/2017/1388/F – Transport Hub

It was reported that correspondence had been received from the Department for Infrastructure (DfI) notifying the Council of the regional significance of an application which proposed a new integrated public transport interchange at lands to the east of the Westlink (A12) (full description available here). As a result of it being classified as ‘Regionally Significant’ under Section 26 of the Planning Act (NI) 2011, DfI would be responsible for determining the application.

Noted.

Response to consultation requests from Department for Infrastructure

LA04/2017/0474/F – Casement Park Stadium

The Committee was advised that a consultation request had been received by the Department for Infrastructure for the proposed application for the Re-development of Casement Park to provide a new Stadium (Capacity of 34578). The development included the demolition of the existing facilities; construction of new pitch, boundary wall and stands, incorporating bar/restaurant and ancillary kitchen areas, conference, training, community and cultural heritage and education facilities, ancillary offices, player accommodation and welfare facilities, press/media and broadcast facilities, replacement floodlighting, stadium/event management suite, ground support facilities including new arrangements for vehicles and pedestrians, electronic display installations, storage, surface and undercroft car parking, hard and soft landscaping, new landscaped pedestrian access from Mooreland Park to Stockman’s Lane, together with use of the stadium for up to three outdoor music concerts in any calendar year.

The Committee agreed that the response, as outlined in the report, be issued to the Department for Infrastructure’s Strategic Planning Division on behalf of the Council, with emphasis of the following points:

- Further detailed cross sections through the entire site and surrounding properties as a whole was recommended;
- In addition, in terms of wider visual effect, it was recommended that further images were required to demonstrate the impact on the skyline and on key views, both near and distant; and
- Greater certainty around travel, transport and traffic should also be provided at this stage.
LA04/2017/0878/F - power generation station site located on lands at Airport Road West Belfast Harbour Estate

The Committee was advised that a consultation request had been received from the Department for Infrastructure (DfI) for the proposed application for the Erection of 480MW Combined Cycle Gas Turbine Power Station comprised of turbine hall/heat recovery system generator building with 50m exhaust stack, air cooled condenser, 2 storey administration building, 2 storey workshop building, gas insulated substation, gas compressor station, gas pressure reduction station, associated water and fuel tanks and other associated infrastructure and ancillary development including provision of site access and road works to facilitate extension to pedestrian footways and delineation of a right hand turn lane. Construction of new Above Ground Installation (AGI) at Kinnegar Army Barracks and new underground pipeline along Airport Road West, Esplanade Road with option of also following Heron/Moscow Road and which would connect the Power Station Site to the existing gas transmission infrastructure at Kinnegar Barracks.

The case officer informed the Committee that, after the agenda had been published, additional information had been received from AES UK and Ireland, in response to comments from Belfast Power Limited in the case officer’s report regarding Kilroot Power Station, which suggested that the forecasted reduction in capacity and eventual closure of Kilroot was inaccurate due to recent legislative changes and planned technological upgrades. She advised that these comments would be relayed to DfI.

After discussion, the Committee agreed that the response, as outlined (copy available on the Council’s website), be issued to the Department for Infrastructure’s (DfI) Strategic Planning Division on behalf of the Council.

LA04/2016/0421/F - Multi-purpose facility at D3 for berthing of cruise ships

The Committee was advised that a consultation request had been received from the Department for Infrastructure (DfI) for the proposed application for the construction of a new multi-purpose facility at D3 for berthing of cruise ships, and for lay-by and transient storage of project cargo, break bulk and dry bulk during cruise ship off season. The development comprised of the construction of 340m long solid quay with mooring dolphins, dredging of the berthing pocket and infilling behind the new quay wall using imported clean fill materials, construction of a 25m wide piled relieving slab along the quay length, with heavy duty paving surfacing on the quay/slab hinterland, access road, security gates, access barrier and kiosk at Airport Road West, modular terminal building, shore side facilities, lighting, fencing, and landscaping. (Amended Description).

The Committee was reminded that previous notification had been received from DfI and had been reported at the Planning Committee in June, 2016. This further consultation had now been received following the receipt of further environmental information resulting in updates to the Environmental Statement and an addendum.

The Committee agreed that the response, as outlined (copy available on the Council’s website), be issued to the Department for Infrastructure’s (DfI) Strategic Planning Division on behalf of the Council.
Statutory Consultee Annual Report

The Committee was reminded that Section 229 of the Planning (Northern Ireland) Act 2011 (Duty to respond to consultation) placed the previous administrative consultation arrangements in the development management process for planning applications on a statutory basis. It was reported that consultee bodies that had been identified in Schedule 3 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 (“the GDPO”) were statutory consultees, and therefore subject to the duty to respond to statutory consultation requests from another district council, or the Department, acting as the relevant planning authority.

It was reported that the Statutory Consultee Annual Report, as outlined in Appendix A, outlined the Council’s performance for 2016/17 and highlighted that the Department for Infrastructure had acknowledged that there had been shortcomings with the consultation process and would be establishing a task and finish working group to identify and introduce improvements, to which an officer from the Council had been nominated to attend.

The Committee noted the contents of the report and agreed to the submission of the Statutory Consultee Annual Report to the Department for Infrastructure as outlined in Appendix A of the report. (Copy available here).

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 Notified

The Committee noted a list of decisions which had been taken under delegated authority by the Director of Planning and Place, together with all other planning decisions which had been issued by the Planning Department between 12th June and 7th August, 2017.

Departmental Performance Update

The Development Engagement Manager provided the following information on the Department’s performance up to 31st July, 2017:

Planning Applications
- 191 applications had been validated in July, 2017;
- 277 applications had been validated in June, 2017; and
- Overall numbers of applications validated this year had increased by 13% on the same period last year.
Planning Committee,
Tuesday, 15th August, 2017

Planning Decisions

- 131 decisions had been issued in July, 2017;
- 220 decisions had been issued in June, 2017;
- 96% approval rate;
- 95% decisions had been issued under delegated authority; and

No. of applications in system by length of time

- 971 live applications were in the system at end of July, 2017;
- 71% of applications were in the system for less than 6 months; and
- 14 legacy applications were outstanding.

Performance against statutory targets (un-validated management information)

- The statutory target for processing major development planning applications from the date valid to decision issued or withdrawal date was within an average of 30 weeks. Up to the 31st July, 2017, the average processing time to decide major applications was 60. This, however, included legacy applications and those Major applications which had been delayed whilst a Section 76 agreement had been put in place;
- The statutory target for processing local development planning applications from the date valid to decision issued or withdrawal date was an average of 15 weeks. Up to the 31st July, 2017, the average processing time to decide local applications was 16.7 weeks; and
- The statutory target was that 70% of all enforcement cases are progressed to target conclusion within 39 weeks of receipt of complaint. Up to the 31st July, 2017, 70% of enforcement cases had been concluded within 39 weeks.

The Committee also noted that the amount of legacy applications that had been completed and that remained in the system, would be included in the performance report next month.

Proposed Abandonments and Extinguishment of Public Rights of Way

The Committee noted the receipt of correspondence from the Department for Infrastructure which related to the Extinguishment of Public Rights of Way at:

- Beechpark Street and Beechnut Place;
- Jamaica Road;
- Lawther Court;
- Slievegallion Drive; and
- The Village.
The Committee also noted the receipt of correspondence from the Department for Infrastructure which related to the proposed abandonment of Public Rights of Way at:

- Lisburn Road, Turning Circle.

**Miscellaneous Items**

**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 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.

The Committee noted the contents of the report and supported the proposed listings of the following buildings by the Department for Communities:

- 22A Cadogan Park;
- 22 – 24 Windsor Park;
- 26 Windsor Park;
- 28 Windsor Park;
- 30 Windsor Park;
- 32 Windsor Park;
- 114 Marlborough Park Central; and
- 47 Derryvolgie Avenue.

The Committee also agreed to defer consideration of the listing of 30 Malone Park so that further clarification could be sought from the Historic Environment Division regarding the process that had been undertaken to list the property.

**Update on Local Development Plan**

The Committee considered the following report:

“1.0 Purpose of Report or Summary of main Issues

The purpose of this report is to update members on the progress of the new Belfast Local Development Plan (LDP) and outline the next steps in the plan development process.”
2.0 Recommendations

It is recommended that Members note the progress on the LDP. The main issues to report include:

- The Preferred Options Paper (POP) Consultation Report and now been completed and has been published on our website.
- Note progress on a number of commissioned research studies including the Strategic Housing Needs Assessment (SHNA), Urban Capacity Study for residential and employment land, a Retail and Leisure Capacity Study, the Open Spaces Strategy and the Blue and Green Infrastructure masterplan
- Work is ongoing on the preparation of the draft Plan Strategy and members will be invited to workshops in the Autumn as policy is being composed

3.0 Main report

Background and Context

3.1 Draft POP Consultation report was presented to Committee in June. Work on this report has now been completed at was published on our website on Wednesday 26 July. The feedback from this consultation process will now feed into the development of the draft plan strategy.

3.2 It is necessary to continue to build upon this extensive evidence base as we work towards the preparation of the draft Plan Strategy – the first of the two development plan documents that will form the final LDP. In accordance with regional policy and best practice in plan preparation, a need has been identified for a further three inter-related pieces of research. These can be summarised as follows:

- Housing Needs Assessment (HNA) – Whilst the Housing Growth Options report considered the overall number of housing units required in Belfast to 2035, the Strategic Planning Policy Statement (SPPS) requires the completion of a Housing Needs Assessment (HNA) and Housing Market Analysis (HMA) to consider the right mix and balance of housing required in terms of tenures, types and sizes. Whilst much of the HMA work was undertaken to inform the Housing Growth Options Study, this will now be built upon to provide a detailed assessment of need. This
will provide robust evidence in relation to the mix of houses of different sizes required and the balance of tenures, such as open market housing, social housing, and other affordable housing types. It will also consider needs associated specialist housing types, such as homes for older people, private rented accommodation, student housing and needs associated with the Traveller community.

● Urban Capacity Study (UCS) – The SPPS for Northern Ireland requires that an UCS be completed to “assess the potential for future housing growth within the urban footprint and the capacity for different types and densities of housing.” In addition, the SPPS requires that “LDPs should identify previously developed land within settlements for potential economic development” with the need to “offer a range and choice of sites in terms of size and location.” An UCS has been commissioned to assess in detail the development potential, suitability, availability and achievability of different forms of residential and economic development across the City. The study comprises six key components including:-

1. Methodology Report
2. Site Identification
3. Windfall Assessment
4. Site Assessment
5. Assessment Review
6. UCS Report

To date a draft Methodology Report prepared and work is ongoing on data sharing. An assessment of existing densities ongoing and the initial site identification has been completed. Preparation for site assessment has also begun.

● Retail and Leisure Capacity Study – The SPPS requires councils to “undertake an assessment of the need or capacity for retail and other main town centre uses across the plan area” when preparing LDPs. The Retail and Leisure Capacity Study will therefore provide an assessment of retail and leisure needs and capacity in the period up to 2035, reviewing the current performance of Belfast City Centre and other neighbourhood/local centres across the Council area and will provide the evidence to guide the detailed planning policies for Town Centre retail and leisure developments.
The remit of the consultant is to review and analyse existing floorspace, diversity of uses and extent of activity across the council area; define a network and hierarchy of centres; define the mix and proportion of uses; identify and appraise future retail and leisure development sites and undertake a review of existing policies and advise on the plan strategy. The consultant will work collaboratively with Council staff, attend workshops and present to senior management and will attend future examinations of the plan.

The consultant met with council staff on 28th July discussing the diversity of use survey and has completed a householder’s survey as of 7th August. The study is expected to be completed by the end of September 2017.

Green and Blue Infrastructure Masterplan establishes principles guiding the continued protection, management and expansion of our green and blue network. It includes all green and blue spaces in and around the city and enables the consideration of the collective value of all of these spaces together. Constituent elements of green and blue infrastructure include parks, private gardens, agricultural fields, hedges, trees, woodland, green roofs, green walls, rivers and ponds regardless of its ownership, condition or size. The Open Spaces Strategy is one of the key components of the masterplan and is required by the SPPS as a constituent part of the LDP. Work has commenced on the preparation of the Green and Blue Masterplan. A draft of the study is expected to be completed by the end of September 2017. A workshop for key stakeholders of the open space strategy is scheduled for the 14 Sept with a view to completion towards the end of this year.

3.3 Financial and Resource Implications

There are no additional resource implication arising from the reports.

3.4 Equality or Good Relations Implications

There are no direct equality and good relations implications associated with this report. However, it should be noted that the Housing Needs Assessment work will consider the need for specialist housing types,
such as homes for older people and traveller accommodation, helping to provide the evidence required to ensure the LDP fulfils its obligation to such groups. The Plan Strategy and Local Policies Plan, which will make up the final LDP and which will be informed by this research, will also be subject to Equality Impact Assessment (EqIA) processes.”

Noted.

Local Development Plan - Metropolitan Area Spatial Working Group

The Committee was reminded that, at its meeting on 7th June, it had been agreed that the Council would participate in a joint working group linked to the preparation of the Local Development Plans, which would comprise of the planning authorities in the Metropolitan area and that the Chairperson and Deputy Chairperson of the Planning Committee had been nominated to serve on the working group.

It was reported that the inaugural meeting was scheduled for 4th September, 2017 and a draft agenda had been included in the report which included the following items: Membership and governance for the group; Terms of Reference; Timetables for each Local Development Plan; Information availability and sharing; Individual council priorities and potential synergies, together with key areas of discussion, such as the environment, housing, retail, transport and infrastructure.

Noted.

Additional Item – Planning Staff Rotation

With the permission of the Chairperson, the Director of Planning and Place provided the Committee with an update regarding the rotation of staff on the Strategic and Major Planning Application Team, and the Local Planning Application Team, within the Planning and Place Department.

The Committee noted the update and that contact details for the teams would be sent to the Members in due course.

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)

LA04/2016/2267/F - Erection of an office building (ranging in height from four to six storeys) and associated access road, re-configuration of existing car park and ancillary works at Site C Gasworks Office Park.

The Committee was reminded that the application had been on the agenda and case officer reports had been published in March and April, 2017, however, the application had not been presented at either of the Committee Meetings.
The Committee was also reminded that, at its meeting on 13th April, before presentation of the application commenced, the Committee, given the issues which had been raised regarding the ratification of the Gasworks Masterplan, the relationship between the proposed tower block and the impact on the surrounding housing, and consistency in the approach to major developments, had agreed to defer consideration of the application to enable a site visit to be undertaken to acquaint itself with the location and the proposal at first hand.

The case officer informed the Committee that, after the agenda had been published, the following additional information had been received from the Northern Ireland Housing Executive, which raised the following points:

- high social housing need in the local area (104 applicants on waiting list, 84 in housing stress and 20 allocations over the previous year (September, 2016);
- the site was located within a larger social housing zoning; and
- BMAP was the primary consideration in determining planning applications unless material considerations dictated otherwise.

The case officer outlined the response of the Planning Department to the aforementioned issues raised, as outlined in the Late Items Report Pack.

She presented the application and highlighted that further consideration had been given to the application in the second addendum report, in light of additional and changes to the material circumstances.

She concluded that the public consultation exercise had been conducted in line with legislation and advised that the proposal for an office development at this location was recommended for approval.

The Chairperson advised that deputations who wished to speak on the application should deal with the technical aspects and planning considerations of the application.

The Committee received a representation from Councillor Hargey. She outlined a range of objections to the case officer’s recommendation for approval. She suggested that the Belfast Metropolitan Area Plan (BMAP) should be a material consideration as it was the most recent planning document and zoned the entire site for housing, and applications for the site should not be considered until an overall masterplan had been agreed and adopted. She also suggested that there was a high need for social housing in the area and 86 families were in housing stress, mainly needing three bedroom houses. She raised concerns regarding land which had been zoned for housing being changed for business interests, and suggested that there was a lack of respect for inner city communities and their needs.

During points of clarification, she also suggested that there had been disparity between how the Committee dealt with sites zoned for housing, especially when the sites were located in the City centre.
The Committee also received representation from Ms. N. McFall, representing the Markets Development Association (MDA), and Ms. C. Bailey, MLA.

Ms. McFall outlined a range of objections to the proposal. She questioned the pre application community consultation report and whether regular meetings with stakeholders, which had been stated in the applicants report, had taken place. She suggested that there was a sustained housing need in the area and that as the site was zoned for housing under BMAP, it should still carry weight and was a material consideration in the decision making process. She suggested that there should have been meaningful discussion with the Northern Ireland Housing Executive (NIHE) in regards to the development of housing on the site and there had been a lack of consistency with decisions made by the Planning Committee. She also suggested that the Committee should refuse the application to allow time for the Gas Works Masterplan to be agreed by all those affected.

Ms. Bailey, MLA explained her objections to the proposal, as follows:

- The scale, massing and design of the proposal;
- Issues with the land height and the potential for the buildings to intrude on the surrounding residential properties;
- Loss of light and dominance - The case officers report had already identified this as a problem and would create a barrier;
- Suggested the removal of existing walls instead of building higher ones;
- Issues with the access road and its potential to create an infrastructure barrier for the residents and community; and
- Suggested that the Committee should support the inner city communities’ views and refuse the proposal, as without a masterplan being agreed for the other plots of the site, she believed it would be the wrong way to start the development.

During points of clarification, Ms. McFall also suggested that she was not aware of the existence of the Gasworks Residency Committee and Gasworks Security Forum which had been stated in the applicants report regarding the pre application community consultation.

At this point, the City Solicitor clarified that the adoption of the Belfast Metropolitan Area Plan (BMAP), which had been referred to by the objectors, had been challenged by the Council in respect of a Sprucefield Development related issue. He stated that the Belfast Urban Area Plan (BUAP) was out of date, and BMAP continued to have significant weight in terms of planning considerations due to it having undergone a public inquiry, a number of internal department processes and was at an advanced stage. He explained that there had been a Joint Ministerial Statement on the matter, which indicated that the further stages that BMAP had reached in the process prior to adoption, the more weight it should be given, in terms of planning decisions. He advised that this position was still relevant, therefore, BMAP was of significant weight in the Committee’s decision making process and that only one aspect of BMAP was contentious.
The Committee also received representation from Councillor Craig who outlined a range of support for the application which included investment, job creation, together with rent and rates income for the Council. He suggested that the length of time it had taken to consider the application at the Planning Committee would create fear for further investment in the city and was disappointed it had taken so long. He suggested the proposal would create Grade A office space which would occur without the need for public funding and the developer had a prospective tenant for the proposal. He suggested that the Northern Ireland Housing Executive had suggested that this particular site might be too contaminated to build housing on.

The Committee also received representation from Mr. C. Bryson, Strategic Planning, acting on behalf of the applicant and Mr. N. McLaren, the applicant, representing Inislyn Limited.

Mr. McLaren outlined a range of support for the application. He suggested that the proposal would generate revenue for the City and that the development company had a long standing and successful relationship with the Gasworks site and the Council, having previously developed the Radisson Blue Hotel and the Lighthouse Building on the site, together with two carparks. He suggested they were committed to working alongside the Council as they developed the Masterplan for the area. He suggested that the proposal would provide high quality office and working space for approximately 550 people, during construction approximately 50 Construction jobs, and generate approximately £750,000 via various income streams. He suggested that the applicant was in the final stages of securing two prospective tenants. He suggested that they were local developers who take pride in the projects they undertook and this proposal would enhance the area. He confirmed that the Developer Contribution proposed for this development included a combination of physical works and community initiatives.

Mr. Bryson outlined his support for the planning officer’s recommendation to approve the proposal. He suggested that it was in keeping with the surrounding land uses and character of the area, was in full compliance with the relevant area plan and other material considerations. He suggested that after it had been adopted, BMAP had been quashed, and it could not be a material consideration in the determination process and the court judgement was clear on that point. The site was zoned for offices in the last adopted plan, BUAP, as it was in a draft BMAP in 2004. He suggested there had been no objections from the closest 8 houses on McAuley Street to the application site. He suggested that the Northern Ireland Housing Executive consultation response of 9th June, 2016 made it clear that the high levels of contamination associated with the previous land uses had meant that other recent social housing schemes had incurred high costs and led to difficulties delivering housing in the area. He suggested that there would be no adverse impact on residential amenity and the design had included obscure glazing and planting which would ensure there would be no overlooking.

During points of clarification, Mr. McLaren suggested that the total proposed investment would be £12-13 million for the office element and confirmed that the consultation groups referred to in their report were the Gasworks Residents Committee, (attendees included Business Tenants of the Gasworks), and the Gasworks Community Forum (attendees included commercial tenants, PSNI, along with local community groups). He suggested further that the MDA had been invited to this Forum, however, did
not attend the meetings. He also suggested that his comments regarding the legalities of which area plan was relevant to the application were different from the Council’s.

During discussion, the case officer explained that a Pre Application Notice had been served by the Council for a mixed used development which included offices, housing and retail on the remainder of the land. She provided an overview of the statutory requirements of the consultation process and advised that a condition had been applied to the recommendation regarding the remediation of contamination at the site.

The City Solicitor was requested to clarify his advice on the relevant Area Plan for the site. He advised that the BUAP was 16 years old, and the data that underpinned it was out of date. He reiterated that BMAP had to be given significant weight in terms of a planning decision, however, if there were circumstances when the Committee might wish to depart from policy, then the Committee was legally permitted to do so, as long as it gave appropriate reasons for its decision.

During further discussion, the Director highlighted paragraph 19, as outlined in the case officer’s report, which stated that the Council had expressed a commitment, as of the Council Meeting on 3rd July, to move forward with an Outline Planning application for a comprehensive mixed use development for the lands, and a PAN had now been served to that affect. He advised that if approval was granted for the proposal, it would not prejudice the opportunity to deliver a master plan or the inclusion of residential use in the mixed use development.

Proposal

Moved by Councillor Bunting, and
Seconded by Alderman McGimpsey,

That the Committee agrees to grant approval to the application, subject to the imposing of the conditions set out in the case officer’s report and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the City 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 and, if so, to enter into such an Agreement on behalf of the Council and delegate power to the Director of Planning and Place for the final wording of the conditions.

On a vote by show of hands eight Members voted for the proposal and five against and it was declared carried.

(The meeting was adjourned for 10 minutes.)

LA04/2016/2360/F Subdivision of existing retail unit 1 into 2 no. new retail units (with provision of new 1st floor mezzanine level at new unit 1B for storage); re-cladding works to existing units 2-5; demolition and reconfiguration of the front façade treatment to the elevations of new units 1A and 1B; new rear single storey extension into the service yard of unit 1B to facilitate servicing and deliveries; new dock leveller at the rear of proposed unit 1B; 1 new drive-thru restaurant
Planning Committee,  
Tuesday, 15th August, 2017

unit; 1 no. new drive-thru café/restaurant pod; 1 stand-alone restaurant unit; 1 no. new car sales premises; reconfiguration of existing car parking areas at Hillview Retail Park, Crumlin Road; and

LA04/2017/0361/F Subdivision of retail unit 1 into 2 retail units with mezzanine at new unit 1b, single storey rear extension with dock leveller, elevation changes including re-cladding, reconfiguration of existing car parking at Hillview Retail Park, Crumlin Road

The Committee agreed to deal with the applications together, however, noted that separate decisions were required for each of the applications, and that deputations who wished to speak had been allocated double the standard allocated time to make their representations.

The Chairperson advised the Committee that a late request to speak had been received from Councillor McCusker. Accordingly, the Committee agreed that he could make representation regarding the applications.

The case officer presented the aforementioned application - LA04/2016/2360/F, followed by the second application relating to the same retail park - LA04/2017/0361/F.

He informed the Committee that, after the agenda had been published, an additional 5 objections had been received regarding LA04/2016/2360/F and LA04/2017/0361/F, together with a petition, which raised the following points:

- the site was an opportunity to address housing inequality in North Belfast;
- Section 75 of the Northern Ireland Act 1998 required due regard to the promotion of equality of opportunity;
- the district centre status of the site in BMAP was of declining influence. The site had been vacant for 10 years and the district centre use was not needed;
- approving the application would use up limited space required for housing and to tackle housing inequality in North Belfast. The Planning Committee had stated there was a need to address housing need through the emerging Local Plan;
- requested copies of the equality screening template, and any other records kept of compliance with the statutory equality duty, in relation to the work which had been undertaken under the Council’s functions in relation to processing, consideration and recommendations on the two Hillview planning applications;
- raised concerns regarding the Council’s obligation to fulfil human rights and equality obligations, and not discriminate on grounds of religious belief or political opinion and compliance with the Section 75 Equality Duty;
- the adverse impact on existing retailing in the locality; and
- clarification had been sought on question 25 of the planning application form (average no. of vehicles/ persons attending premises daily); and
suggested that a transport assessment form should be required.

The case officer outlined the response of the Planning Department to the aforementioned issues raised, as outlined in the Late Items Report Pack. He highlighted that the proposal for consideration was for a retail development and the site was zoned as a District Centre in BMAP.

The Committee received representations from Councillors Collins, Clarke, McCabe, Campbell and McCusker. They outlined a range of objections to the case officer’s recommendation for approval, as follows:

- zoning of housing in North Belfast;
- support and need for social housing in North Belfast and cases of homelessness in the area;
- procedural flaws regarding use of the relevant plan (BUAP and BMAP) and that the BUAP shouldn’t be discounted;
- application and policy flaws;
- that there was no mention of asbestos in the case officer’s report;
- the development would prejudice discussions with NIHE;
- potential of vesting the land for social housing;
- oppose the development on behalf of local residents;
- the previous retail outlet had been a failed venture;
- cross community work and consultation was needed on what form the site should take and the need for community to be on board
- questioned if the meeting date had been changed;
- suggested that not enough consideration had been given to 6.270 of the Strategic Planning Policy Statements (SPPS) regarding support and vibrancy of town centres;
- questioned the lawful use of the site;
- lack of communication throughout the process; and
- clarification on the case officer’s comments in relation to aspects of the application that did not require planning permission.

During points of clarification, the Director reminded Members of the Committee cycle and the dates which had been published in relation to the August Committee.

After the deputation had spoken, one Member asked for clarification from the City Solicitor regarding evidence of a housing application for the site. The City Solicitor confirmed that there was currently no evidence to suggest interest from a Statutory Body in vesting of the site, therefore, it could not be a material consideration in the context of the application.

The Committee also received representation from Ms. G. Owens (resident), Ms. C. Ní Chuilín MLA, and Mr. S. Brady (representing Participation and the Practice of Rights) who outlined a range of objections to the proposals.

Ms. Owens suggested that her current social housing accommodation in North Belfast was inadequate and was causing her family ill health. She suggested there was a need for housing in the area, and the Equality Campaign that she was involved with had
delivered a petition to the Northern Ireland Housing Executive and the Department of Communities in this regard. She suggested that the site would be one of the last places that families like hers could have any hope of a home and the Committee should refuse the application.

Ms. Ní Chuilín MLA suggested that there was concern from various equality campaigners that the application site had been designated for retail only use. She suggested that a full Equality Impact Assessment (EQIA) was needed regarding the proposal and failure to do so would be contrary to the spirit of Section 75. She raised concerns regarding the consultation that had taken place by the developers, the low quality of drawings and the design of the proposal. She suggested that there were opportunities on this site for mixed use, to provide employment but also social housing.

Mr. Brady outlined his objections to the proposal which included flaws in the Planning policy and procedures, and the complaints process. He suggested that he had been given the wrong date of the Planning Committee by a Council Official. He suggested that the Chief Executive of the Housing Executive had written to families in 2014, detailing that she had wished, at the time, to build homes on the site. He also suggested that a Housing Association had also brought forward an application to the Housing Executive for homes on the site in 2014. He suggested that the campaign against the proposals had drawn upon the support of 5 Political Parties and represented thousands of constituents in need. He suggested that they had carried out their own consultation forums across North Belfast and had designed a better, alternative plan for the site. He suggested that the Committee should vote on the needs of the community and refuse both applications.

The City Solicitor advised that policies that underpin Planning had been taken through the EQIA process, such as the SPSS and the Planning Statements, BMAP and the BUAP, which was what had been required in terms of legal compliance.

During points of clarification, the objecting deputation provided further information regarding their objections to both applications; problems with the consultation and planning process; the potential of Council vesting the land; and reiterated their suggestion for an EQIA for the applications.

The City Solicitor reminded the Committee that the site was owned by a private third party and was not under public authority ownership, therefore, it would be treated differently in terms of equality screening.

The Committee received representation from Mr. T. Stokes (TSA Planning, Planning Agent) and Mr. S. Beattie QC (representing the applicant) who outlined a range of support for the case officer’s recommendation for approval.

Mr. Stokes provided an overview of the Planning History of the site and suggested that BMAP had zoned the site as a district centre and it was an existing, unrestricted, open class A1 retail park. He suggested that there had been strong interest from retailers, and complimentary café/restaurant/drive thru’s which would help the performance of the District Centre. He suggested that the smaller application was submitted to advance discussions with a specific interested retailer and speed up the application process. He suggested it was a commercial application which aimed at bringing the Retail Park
back into use, and strengthen the future performance of the designated District Centre. He acknowledged that there was a need for Social Housing in the area, however, suggested that there was no policy basis for refusing permission for the current proposals based on this need.

Mr. Beattie QC provided background regarding the outcome of the Judicial Review and court of appeal regarding the relevance of the draft BMAP and the statutory BUAP. He explained his support for the application as follows:

- in BMAP, the site had been zoned as a District Centre, and in the BUAP it had been zoned a Whiteland;
- the guiding principle under the SPPS was that there was a presumption in favour of development for a proposal which was consistent with the up to date plan (e.g. BMAP);
- considerable weight should be given to the draft BMAP and there had been no objection to the designation of this site as a District Centre;
- there were no policy presumptions against this development under the BUAP’s zoning of whiteland of the site either;
- no statutory agency had objected to BMAP, therefore it should get considerable weight in planning decisions;
- planning policies raised by the objectors had not counter balanced the presumption in favour of development for a proposal which was consistent with either of the area plans;
- there had been no proposals from NIHE for this site, and it was not the fault of the Council or the Developer;
- the proposition to refuse the application to facilitate the vesting process, would be an illegal, inappropriate and improper motive;

In relation to the objectors’ comments, Mr. Beattie suggested SPSS 2.670 did not displace the presumption in favour of development; the equality legislation issues raised by objectors had been raised in the process of BMAP and that his client also had rights under the prevailing policies and that the proposal was policy compliant, lawful, and should be approved.

During points of clarification, the deputation supporting the applications provided further information and suggested there was no policy requirement for a Section 76 agreement, a housing proposal at the site would be inconsistent with policy, and there had been no discussions regarding social housing because of the zoning of the site. Mr. Beattie also suggested that business sustainability of the proposed retail park was not a material consideration for the applications and that the District Centre designation was at a higher level of protection from local centres, as within BMAP policy, whereas town centres had a separate policy that protected them.

After the deputations had concluded, the Development Engagement Manager advised that there was nothing to prevent the occupation of existing site as retail units. He advised that the issue of asbestos had been dealt with in the report and Environmental Health had no objections. He reminded Members that they should determine the
application on material considerations and that a Local Development Plan that was being prepared was the forum for addressing issues such as housing need.

**Proposal**

Moved by Councillor Magee, and
Seconded by Councillor McAteer,

That the Committee, given the issues which had been raised regarding the housing need and equality, in regards to applications LA04/2016/2360/F and LA04/2017/0361/F, agrees to defer consideration of the applications to permit a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand, together with information from officers to be provided on the requirement for an equality impact assessment.

On a vote by show of hands six Members voted for the proposal and seven against and it was declared lost.

**Application LA04/2016/2360/F**

**Proposal**

Moved by Councillor Bunting, and
Seconded by Alderman McGimpsey,

That the Committee, agrees to grant approval to the LA04/2016/2360/F application, subject to the imposing of the conditions set out within the case officer’s report.

On a vote by show of hands seven Members voted for the proposal and six against and it was declared carried.

**Application LA04/2017/0361/F**

**Proposal**

Moved by Councillor Bunting, and
Seconded by Alderman McGimpsey,

That the Committee, agrees to grant approval to the LA04/2017/0361/F application, subject to the imposing of the conditions set out within the case officer’s report.

On a vote by show of hands seven Members voted for the proposal and six against and it was declared carried.
Reconsidered Item - LA04/2016/0051/F - Alterations to internal layout (demolition) facilitating new residential building consisting of 5 apartments (4 one bed and 1 two bed). (Amended proposal and Scheme) at Eglantine Avenue.

(Alderman McGimpsey and Councillors Carson, Dorrian, Lyons and Mullan took no part in the discussion or decision-making of the application since they had not been in attendance at the meeting on 16th May when it had originally been considered).

The Committee was reminded that the application had been originally presented to the Planning Committee on 16th May and had been deferred so that a site visit could be undertaken and also for information to be submitted from the applicant regarding reflective glazing.

He highlighted that the case officer’s report of 16th May had included a recommendation to refuse the application, however, subsequently, amended application form and drawings had been submitted which had reduced the number of apartments from 6 to 5, together with details of the proposed reflective glazing. He pointed out that the amended application had been re-advertised and the neighbours re-notified and no further objections had been received.

He advised that the amended plans fully addressed the Planning Department’s concerns regarding the proposal and it was now recommended for approval.

The Committee agreed (with one Member opposed) to grant approval to the application, subject to the imposing of the conditions set out within the case officer’s report.

LA04/2017/0106/F Change of use from a retail unit to place of worship including refurbishment and redeveloped with a two storey rear extension, single storey side extension and elevation changes at 208-212 Lisburn Road

The Committee considered the aforementioned application.

The case officer advised that the following condition outlined in 12.0 of the report was no longer required: ‘16. Tree numbers 22 and 24 as shown on approved drawing 15A, date stamped 28 February 2017, shall be retained and protected in accordance with the tree protection measures as set out in “The Tree Survey Report” date stamped 23 December 2016. Reason: To protect bats.’

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer’s report and delegated power to the Director of Planning and Place for the final wording of the conditions.

LA04/2017/0707/F Redevelopment of Andersonstown Leisure Centre

The case officer outlined the proposal for the redevelopment of Andersonstown Leisure Centre to include demolition of existing leisure centre and Ulster Bank and the erection of a new multi-purpose leisure facility building, including family leisure water
provision, 25m swimming pool, learner pool, fitness suite, fitness studios, ancillary rooms and associated works, public and service vehicles access via Andersonstown Road and secondary service vehicle access from Owenvarragh Park. External facilities included 2 five-a-side pitches, cycle and car parking, coach drop off points, landscaping, external water slide flumes and plaza area to the front of the centre and open space at the rear.

It was noted that the application, in accordance with the Scheme of Delegation, had been presented to the Committee since the Council was the applicant and it was also a major application.

During discussion, Members were apprised of information regarding the car parking ticketing system, flood lighting and the proposed opening hours of the complex and the case officer highlighted the planning conditions which related to these issues under 12.0 in the case officer's report.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer’s report and delegated power to the Director of Planning and Place for the final wording of the conditions.

**LA04/2017/0461/F - Extensions / Alterations to Oyster House and Royston House comprising of extensions to the 7th floor and 1 additional floor above for offices, an 8 storey lift core extension within the courtyard, creation of roof terrace, alterations to existing elevations and reconfiguration of ground floor to form 2 new retail units and entrance lobby on lands at 12 to 30 Wellington Place (Oyster House) and 42-46 Upper Queen Street (Royston House)**

The Committee considered the aforementioned application.

The Case Officer advised that the Council’s Conservation Officer had objected to the proposed extensions as they considered that it would have a negative impact on the interpretation of the Conservation Area as a late Victorian / Edwardian commercial city centre. He advised that these concerns had been carefully considered by Officers, however, taking into account the context of the existing building and the heights and roof forms of adjoining buildings with the main views of 9 Donegall Square West (Grade A listed building) which would remain uninterrupted, along with the upgrade secured to the ground floor shop units, the impact on the conservation area was considered to be acceptable and not considered in this case to result in harm.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer’s report and delegated power to the Director of Planning and Place for the final wording of the conditions.

**LA04/2016/0400/F - Apartment development (28 units) on lands at 230 Belmont Road**

The Committee considered the application for an apartment development (28 units) with associated car parking, landscaping and amendments to existing access (renewal of approved application Z/2008/2449/F).
During discussion, the Committee raised issues regarding access, car parking and the replacement of trees.

After discussion, given the issues which had been raised regarding the traffic and impact on the trees, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand. The Committee also agreed that the Council’s Tree Officer be invited to attend the site visit and Transport NI be asked for clarification on their position and attend the next Planning Committee, if possible.

**LA04/2015/1465/F - Demolition of rear Hall and provision of annexe at Bloomfield Presbyterian Church**

The case officer advised that the site was located within the curtilage of a Grade B1 Listed Building – Bloomfield Presbyterian Church, and the Cyprus Conservation Area.

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

**LA04/2015/0773/F - Demolition of existing building and erection of new building to extend the facilities within the existing orthodontic clinic located at 218 Ormeau Road**

(Councillor Lyons, who had declared an interest in this application, took no part in the debate or decision-making process, and left the table. Councillor Johnston acted as Chairperson for this application.)

The Case officer advised that the site was located within the settlement development limits of Belfast as defined in the Belfast Urban Area Plan (BUAP) and Draft Belfast Metropolitan Area Plan, and was within the North Parade/South Parade Area of Townscape Character (Draft BMAP).

During discussion, the case officer advised that although the existing building contributed strongly to the character of the area and also to the character and setting of Cooke Centenary Presbyterian Church (Grade B1 Listed Building), a structural engineer’s report had been obtained which demonstrated that it was not feasible to retain the existing building, given the level of structural defects identified. He explained that the proposed replacement building and the proposed commercial use were considered to be acceptable given the planning history on the site, the business uses in the surrounding area and the fact that this was an extension of an existing business.

**Proposal**

Moved by Councillor Hussey, and
Seconded by Councillor Dorrian,

That the Committee agrees to approve the application, in line with the draft conditions outlined in the addendum report, and delegate authority to
the Director of Planning and Place to agree and finalise the planning conditions

On a vote by show of hands eight Members voted for the proposal and four against and it was declared carried.

(Councillor Lyons returned to the Committee table at this point)

(The meeting was adjourned for 10 minutes.)

LA04/2017/0573/F - Conversion of dwelling to HMO at 9 Euterpe Street

The case officer outlined the proposal for the conversion of a dwelling to a HMO.

The case officer explained that, after assessment, the application had been recommended for refusal on the grounds that the proposal was contrary to Policy HMO 1 of the Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015, in that the number of HMO dwelling units in the Donegall Road HMO Policy Area (HMO 2/07) already exceeded the 30% threshold and no further HMO development was permitted.

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

LA04/2016/1439/F - 24 semi-detached dwellings and associated car parking and landscaping with alterations to existing on-street car parking layout at Corner site to south of junction of Forthriver Road and Forthriver Way.

The Committee considered the aforementioned application.

The case officer informed the Committee that, after the agenda had been published, a revised landscape plan had been received which showed additional planting, of which neighbours had been notified. She advised that the neighbour notification period expired on 21st August and that additional planting was unlikely to raise any new issues.

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer’s report and delegated power to the Director of Planning and Place to deal with any further comments or issues that might be received regarding the application.

LA04/2017/1125/F - Replacement of 22.25 linear metres of 1.8m high steel bow-top fencing with 2.45m high paladin fencing at Lenadoon Millennium Park

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

The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer’s report.
LA04/2015/0670/F Residential development of 53 units comprising 33 detached, 4 semi-detached and 16 apartments on lands at Castlehill Manor, Castlehill Road

The case officer outlined the proposal for 53 dwellings comprising of 34 semi-detached dwellings, 3 detached, and 16 two-bed apartments, in addition to open space, landscaping, and associated access infrastructure. He advised that the proposal had been reduced from 74 dwellings in the original submission.

He informed the Committee that, after the agenda had been published, an additional 3 objections had been received, which raised the following points:

- impact on protected wildlife species;
- contrary to PPS7 and LC1 of a PPS7 – loss of privacy and overshadowing;
- impact on character – high density;
- impacts of traffic and potential impact on road safety; and
- construction and stability issues.

The case officer outlined the response of the Planning Department to the aforementioned issues raised, as outlined in the Late Items Report Pack.

After discussion, the Committee, given the issues which have been raised regarding access and drainage at the site, agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand.

LA04/2017/0523/F - Warehouse unit and secure yard for use as a depot for mobile shredding vehicles and on-site shredding and baling of waste facility (Part Retrospective) at Unit 3 Block B at 6-16 Duncrue Crescent

The Case officer advised that the application proposed the erection of a warehouse unit and secure yard for use as a depot for mobile collection and shredding vehicles with on-site shredding and baling of waste facilities and its associated head office (sui generis) (part retrospective).

The Committee granted approval to the application, subject to the imposing of the conditions set out in the case officer’s report and delegated power to the Director of Planning and Place for the final wording of the conditions.

LA04/2017/1081/F - Internal reconfiguration to previously approved hotel to create an additional 31 bedrooms providing a total of 237 bedrooms at 20 Brunswick Street

The Committee considered the aforementioned application for amendments to the previously approved hotel under LA04/2015/0418/F and LA04/2016/1050/NMC to increase the number of bedrooms from 206 to 237, through a reconfiguration of the internal space (31 additional rooms).
The case officer advised that the proposed changes relate purely to internal reconfiguration works with no external alterations to the previously approved building.

The Committee approved the application, subject to the imposing of the conditions set out in the case officer’s report and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the City 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 and, if so, to enter into such an Agreement on behalf of the Council. The Committee also delegated power to the Director of Planning and Place for the final wording of the conditions.

**LA04/2017/0288/F - Demolition of existing building at 4-5 Donegall Square South for a 9 storey mixed use development including two level basement incorporating car parking and office, A1/A2/A3 use on ground floor and 1st to 8th floor offices with associated roof external plant screen at 4-5 Donegall Square South**

The Case officer advised that, after the agenda had been published, the following additional objection had been received, which raised the following points:

- the height of the development;
- impact on neighbouring properties;
- loss of light; and
- impact on the setting of listed building and the conservation area.

The case officer outlined the response of the Planning Department to the aforementioned issues raised, as outlined in the Late Items Report Pack and clarified issues regarding the height, line-up of the cornice line and set-back of the proposal.

The Committee approved the application, subject to the imposing of the conditions set out in the case officer’s report and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the City 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 and, if so, to enter into such an Agreement on behalf of the Council, and delegated power to the Director of Planning and Place for the final wording of the conditions.

**LA04/2017/0157/F - Revision of previous approved application (Z/2012/0645/RM) and erection of 12 detached dwellings, 4 semi-detached dwellings, 3 townhouses and 18 apartments on lands south of 25 Harberton Park**

The case officer outlined the proposal for amendments to a previous planning approval (Z/2012/0645/RM) to include changes to site layout, house types and modifications to plot arrangements including ancillary buildings and landscaping for phase 3 of the development comprising of 37 dwellings in total.
The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer’s report.

**LA04/2015/0859/F - Split level youth club building with multi-purpose spaces at 66 Ballygomartin Road**

The Case officer advised that the site was located within the development limits for Belfast. The site was zoned for Industry and Commerce within the BUAP 2001. The site was within land zoned for housing (uncommitted); and was also a Site of Local Nature Conservation Importance (SLNCl) in draft BMAP. A Community Greenway also ran along the west and to the rear of the site in draft BMAP.

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

**Z/2014/1408/F - Housing development of 51 residential units comprising 46 semi-detached and 5 detached dwellings with associated access, landscaping/open space and site works at land to north of Lyndhurst View Park**

The Committee considered the aforementioned application.

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

**LA04/2017/0043/F - Demolition of existing building and construction of residential development consisting of 104 apartments with associated fitness suite, car parking and landscaping at Parklands, Knocknagoney Dale**

The Committee approved the application, subject to the imposing of the conditions set out in the case officer’s report and, in accordance with Section 76 of the Planning Act (Northern Ireland) 2015, delegated power to the Director of Planning and Place, in conjunction with the City 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 and, if so, to enter into such an Agreement on behalf of the Council, and delegated power to the Director of Planning and Place for the final wording of the conditions.

**LA04/2017/0598/F - Variation of conditions 3 (construction of hard surfaced areas), 4 (cycle parking spaces) and 6 (proposed planting) to include reference in condition 3, 4 and 6 to a reconfigured hardstanding layout on lands adjacent to East Bridge Street and accessed off Laganbank Road located between former Mayfield Leisure Centre and Central Station**

The Case officer advised that permission was sought to modify conditions 3, 4 and 6 of planning approval under Z/2015/0182/F to facilitate changes to the hard and soft landscaping on the development of an office block.
The Committee granted approval to the application, subject to the imposing of the conditions set out within the case officer’s report.

Chairperson
Planning Committee

Thursday, 31st August, 2017

PLANNING COMMITTEE SITE VISIT – NOTE OF MEETING

Members Present: Councilor Lyons (Chairperson);
Councillors Armitage, Bunting, Johnston and Mullan.

Officers in Attendance: Ms. E. Hanratty, Mr. R. Taylor, Ms. T. Harbinson,
Mr. D. Hassan and Ms. E. McGoldrick.

Also in Attendance: Mr. G. Beckett, Development Control,
Department for Infrastructure Roads Service.

Apologies

Apologies were received on behalf of Councillors Dorrian, Garrett and Hussey.

Site Visit

Further to its decision of 20th June, the Committee convened at 12:30 pm at the
City Hall for the purpose of undertaking site visit in respect of the following:

LA04/2016/0400/F - Apartment development (28 units) on lands at 230 Belmont
Road

The Chairperson reminded the Members that, given the issues which had been
raised regarding the traffic and impact on the trees, the Committee agreed to defer
consideration of the application to enable a site visit to be undertaken to allow the
Committee to acquaint itself with the location and the proposal at first hand. The
Committee also agreed that the Council’s Tree Officer be invited to attend the site visit
and Transport NI be asked for clarification on their position and to attend the next Planning
Committee, if possible.

The case officer advised that Mr. G. Beckett, Development Control, Department
for Infrastructure, Roads Service, was in attendance to answer any queries the Committee
might have regarding the access road and highway safety, together with Mr. D. Hassan,
Tree Officer, from the Council to answer any tree protection related queries.

During discussion, Mr Beckett informed the Members of the average traffic
statistics, peak hours for the area, and average trips to be taken on the access road, and
the process of how the Roads Service assess such developments.

The Tree Officer explained the process of Tree Protection Orders, the relevance
of the condition of the proposed trees to be removed, and health and safety aspects. He
also highlighted the planning conditions outlined in the report in respect of the requirement
of hard surfaces to protect the trees which would be retained.

(Councillor Mullan left the site visit at this point)
Planning Committee,
Thursday, 31st August, 2017

LA04/2015/0670/F Residential development of 53 units comprising 33 detached, 4 semi-detached and 16 apartments on lands at Castlehill Manor, Castlehill Road**

The Chairperson reminded the Members that, given the issues which had been raised regarding access and drainage at the site, the Committee had agreed to defer consideration of the application in order to undertake a site visit to allow the Committee to acquaint itself with the location and the proposal at first hand.

The Committee noted that the applications would be reconsidered in due course.

The site visit concluded at 2.30pm.

Noted.

Chairperson
# PLANNING COMMITTEE – 19 SEPTEMBER 2017

## APPEALS NOTIFIED

**COUNCIL: BELFAST**

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### PLANNING COMMITTEE – 19 SEPTEMBER 2017

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<td>APPLICANT:</td>
<td>USA Car Wash</td>
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<td>LOCATION:</td>
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<td>PROPOSAL:</td>
<td>Use of forecourt for hand-wash car wash (retrospective application)</td>
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### APPEAL DECISIONS NOTIFIED

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<tr>
<td>RESULT OF APPEAL:</td>
<td>Dismissed</td>
</tr>
<tr>
<td>APPLICANT:</td>
<td>Mr Adrian McLaughlin</td>
</tr>
<tr>
<td>LOCATION:</td>
<td>5 Colindale Park, Dunmurry</td>
</tr>
<tr>
<td>PROPOSAL:</td>
<td>Amendment to previously approved loft conversion with flat roof dormer and single storey extension to front and rear under application S/2013/0375/F</td>
</tr>
</tbody>
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<thead>
<tr>
<th>ITEM NO</th>
<th>PAC Ref:</th>
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<td>2</td>
<td>2017/A0032</td>
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<thead>
<tr>
<th>PLANNING REF:</th>
<th>LA04/2016/2318/A</th>
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<tbody>
<tr>
<td>RESULT OF APPEAL:</td>
<td>Allowed</td>
</tr>
<tr>
<td>APPLICANT:</td>
<td>Mr Sam Morrison</td>
</tr>
<tr>
<td>LOCATION:</td>
<td>Cityside Retail and Leisure Park, York Street, Belfast</td>
</tr>
<tr>
<td>PROPOSAL:</td>
<td>Two banner signs</td>
</tr>
</tbody>
</table>
### Planning Applications - Decisions Issued between 8 August 2017- 8 September 2017- (191)

<table>
<thead>
<tr>
<th>Reference Number</th>
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<th>Date Decision Issued</th>
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</thead>
<tbody>
<tr>
<td>LA04/2015/0398/F</td>
<td>HWR Kohner  c/o agent</td>
<td>Site situated between 63 Dundela Street and 82 Dundela Avenue.</td>
<td>Demolition of existing work units with proposed 3no dwellings to be erected.</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2015/0773/F</td>
<td>Stephen McKenna of Belfast Orthodontic Clinic  218 Ormeau Road Belfast BT7 2FY</td>
<td>1 North Parade Ormeau Road Belfast BT7 2GF</td>
<td>Demolition of existing building and erection of new building to extend the facilities within the existing orthodontic clinic located at 218 Ormeau Road (Amended Material Finishes)</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2015/0800/F</td>
<td>Killultagh Estates Ltd Alfred House 19-21 Alfred Street Belfast BT2 8ED</td>
<td>Brunswick House 5-7 Brunswick Street Belfast BT2 7GE</td>
<td>Demolition of the existing building and construction of a new 9 storey office and retail building with roof level plant area</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2015/0854/O</td>
<td>M Reid  4 Glastonbury Avenue Belfast BT15 4DC</td>
<td>Land adjacent to and south of 43 Colinglen Road Belfast</td>
<td>Erection of two new dwellings</td>
<td>Permission Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2015/0859/F</td>
<td>Education Authority BELB  40 Academy Street Belfast BT1 2NQ</td>
<td>66 Ballygomartin Road Belfast BT13 3NE</td>
<td>Split level youth club building with multi purpose spaces.</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2015/1059/F</td>
<td>Agnew Holdings  18 Boucher Way Belfast BT12 6RE</td>
<td>5/7 Boucher Road Belfast BT12 6HR</td>
<td>Alterations to existing 2 units and external facade</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2015/1187/F</td>
<td>Joseph Higgins  35a Old Colin Road Dunmurry BT17 0NS</td>
<td>35a Old Colin Road Dunmurry Lagmore BT17 0NS</td>
<td>Coffee shop plus shop to sell garden produce</td>
<td>Permission Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2015/1203/F</td>
<td>Mr Colm McFall  2 Owenvarragh Gardens Belfast BT11 9BB</td>
<td>2 Owenvarragh Gardens Belfast BT11 9BB</td>
<td>Retrospective single storey rear extension</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
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<tr>
<td>LA04/2015/1490/F</td>
<td>Apex Housing Association 10 Butcher Street Londonderry BT48 4HL</td>
<td>Formerly 1-7 (Odds) Cliftonpark Avenue Belfast</td>
<td>Erection of 10 No. 5P3B semi-detached dwellings, site access works, associated site works and landscaping.</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2016/0407/F</td>
<td>Ashton Centre Development LTD 5 Churchill Street Belfast BT15 2BP</td>
<td>16 Alliance Avenue Oldpark Belfast BT14 7PH</td>
<td>Change of use from residential to community use. Elevation changes.</td>
<td>Permission Granted</td>
<td>31/08/2017</td>
</tr>
<tr>
<td>LA04/2016/0479/F</td>
<td>Mr D Rooney 25 Bernagh Drive Belfast BT11 8HS</td>
<td>25 Bernagh Drive Belfast BT118HS</td>
<td>Change of use from 1 to 2 dwellings, 2 storey rear extension and rear dormer</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2016/0485/F</td>
<td>Belfast Health and Social Care Trust FAO Michael Kelly 274 Grosvenor Road Belfast BT12 6BA</td>
<td>The Royal Hospitals 274 Grosvenor Road Belfast BT12 6BA</td>
<td>Single storey extension to existing Haematology ward block.</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2016/0721/LDE</td>
<td>Mr Donal Okane For Instorage Ltd 54 Elmwood Avenue Belfast BT9 6AZ</td>
<td>Anna House Dunmurry Office Park 37 Upper Dunmurry Lane Belfast BT17 0AJ</td>
<td>Day centre for older people</td>
<td>Permission Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>LA04/2016/0757/F</td>
<td>Mr J Henderson Unit 23 Carrowreagh Business Park Dundonald BT16 1QQ</td>
<td>234-236 Newtownards Road Belfast</td>
<td>Change of use from vacant to 3 apartments. Elevation alterations.</td>
<td>Permission Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2016/1069/DC</td>
<td>Clanmill Developments Ltd Northern Whig House 3 Waring House Belfast BT1 2DX</td>
<td>Lands at 336-344 Old Park Road Belfast BT14 6QE</td>
<td>Discharge of condition 13 of planning approval LA04/2015/1420/F</td>
<td>Approval</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2016/1121/A</td>
<td>CPS Property 164 Lisburn Road Belfast BT9 6AL</td>
<td>CPS Property 164 Lisburn Road Belfast BT9 6AL</td>
<td>Free standing digital sign board</td>
<td>Consent Refused</td>
<td>05/09/2017</td>
</tr>
<tr>
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<tr>
<td>LA04/2016/1375/F</td>
<td>Connor Daykin 6-7 Pembroke Lopp road Poleglass Dunmurry BT17 0QL</td>
<td>Tasty Foods 6-7 Pembroke Loop Road Poleglass Springbank Industrial Estate Dunmurry BT17 0QL</td>
<td>Single storey front and side extension (retrospective)</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2016/1439/F</td>
<td>N B Housing 282-290 Crumlin Road Belfast BT14 7EE</td>
<td>Corner site to south of junction of Forthriver Road and Forthriver Way Belfast BT13 3SQ</td>
<td>Development of 24 No. semi-detached dwellings and associated car parking and landscaping with alterations to existing on-street car parking layout.</td>
<td>Permission Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2016/1751/A</td>
<td>Cantua Limited 3 Park Avenue Donaghadee BT21 0EB</td>
<td>13 - 27 Great Georges Street Belfast</td>
<td>Replace 96 sheet light box with a 48 sheet led digital billboard</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2016/1907/F</td>
<td>Mr James Patterson 60 Quarry Road Belfast BT4 2NQ</td>
<td>Lands West To 60 Quarry Road (Glenalmond Farm) Belfast BT4 2NQ</td>
<td>Proposed dwelling on a farm</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2016/1952/F</td>
<td>Mr Neil Hudson 533 Oldpark Road Belfast BT14 6QU</td>
<td>286 Cliftonville Road Belfast BT14 6LE</td>
<td>Retrospective change of use from ground floor shop to mixed use shop and night time pizza takeaway fast food outlet and proposed change of use of first floor from flat to storage ancillary to the ground floor use and odour extraction flue to side elevation</td>
<td>Permission Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>LA04/2016/2023/F</td>
<td>Ann M Campbell 3A Derryvolgie Avenue Belfast BT9 6FL</td>
<td>3A Derryvolgie Avenue Belfast BT9 6FL</td>
<td>Rear dormers to existing converted roof space (Amended Proposal)</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2066/F</td>
<td>Barry McCann 16 Upper Springfield Road Belfast BT17 0NB</td>
<td>Land to the rear of 16 Upper Springfield Road Belfast</td>
<td>Proposed dwelling</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2016/2166/DC</td>
<td>University Of Ulster</td>
<td>Land at existing DRD surface car park Frederick Street Belfast BT1 2LW</td>
<td>Discharge of condition 7 planning application Z/2012/1034/F</td>
<td>Approval</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2210/A</td>
<td>Creations interiors Ltd 52-54 Boucher Crescent Belfast BT12 6HU</td>
<td>Creations Interiors Ltd 52-54 Boucher Crescent Belfast BT12 6HU</td>
<td>1 No. totems to the frontage along the road and 3no. wall mounted signs</td>
<td>Consent Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2323/DCA</td>
<td>Neil Anderson 64A Kings Road Belfast BT5 6JL</td>
<td>64A Kings Road Belfast BT5 6JL</td>
<td>Removal of existing conservatory at front of property. Creation of new openings for 2.2 X 3.5m sliding doors &amp; 2.2 X 1m window. Alteration of existing opening to increase to 2.2m height</td>
<td>Consent Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2324/F</td>
<td>Neil Anderson 64A Kings Road Belfast BT5 6JL</td>
<td>64A Kings Road Belfast BT5 6JL</td>
<td>Remove existing conservatory at front door, replace all windows &amp; doors, create opening at back of property for 3.5m sliding doors &amp; two new windows fully render outside of property</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2387/F</td>
<td>Fine Foods Ltd 253 Lisburn Road Belfast BT9 7EN</td>
<td>253-255 Lisburn Road Belfast BT9 7EN</td>
<td>Extension of basement, sunken terrace and associated internal alterations (amended scheme)</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2545/F</td>
<td>Miss Heaney &amp; Mr Stewart 44 Ingledale Park Belfast BT14 7GZ</td>
<td>44 Ingledale Park Belfast BT14 7GZ</td>
<td>Demolition of garage, 2 storey side and rear extension, building up side gable and new roof with dormer window</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2549/F</td>
<td>Mr Sean Napier 57 Galwally Avenue Belfast BT8 7AJ</td>
<td>57 Galwally Avenue Belfast BT8 7AJ</td>
<td>Two storey rear extension, raised rear patio and enlargement of front dormer windows (amended scheme)</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2552/DCA</td>
<td>Ann M Campbell 3a Derryvolgie Avenue Belfast BT9 6FL</td>
<td>3a Derryvolgie Avenue Belfast BT9 6FL</td>
<td>Part removal of rear roof to facilitate construction of rear dormers.</td>
<td>Consent Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
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<tr>
<td>LA04/2016/2568/DCA</td>
<td>Mr &amp; Mrs James 5a Massey Avenue Belfast BT4 2JL</td>
<td>Former club house of Knock Bowling Club at 24 Knockdene Park South Belfast BT5 7AB</td>
<td>Demolition of club house and a number of existing boundary fences and low walls.</td>
<td>Consent Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2594/LBC</td>
<td>Sikkim Properties Ltd 57 Crawfordsburn Road Newtownards BT234UH</td>
<td>189 Albertbridge Road Belfast BT5 4PW</td>
<td>Internal reconfiguration including removal of masonry and stud walls, erection of new walls, blocking up of the rear yard door at south elevation and installation of false ceiling at ground and first floor levels.</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2601/F</td>
<td>Sikkim Properties Ltd 57 Crawfordsburn Road Newtownards BT23 4HU</td>
<td>189 Albertbridge Road Belfast BT5 4PW</td>
<td>Change of use from medical centre to house in multiple occupation</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2016/2697/LBC</td>
<td>Albert Fry Associates Ltd 125 Ormeau Road Belfast BT7 1SH</td>
<td>125 Ormeau Road Belfast BT7 1SH</td>
<td>Take down and reconstruction of existing chimney</td>
<td>Consent Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0082/F</td>
<td>Mr and Mrs James 5a Massey Avenue Belfast BT4 2JT</td>
<td>Lands at 24 Knockdene Park South Belfast BT5 7AB</td>
<td>Construction of one storey pavilion for use as an art studio, retaining wall with 1.8m fence above along east boundary, 1.8m timber fence North western boundary and 2.2m wall &amp; pillars along western boundary. (Amended Description Plans)</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0083/F</td>
<td>Dr &amp; Mrs Madden 4B Malone Park Central Belfast BT9 6NP</td>
<td>4B Malone Park Central Belfast BT9 6NP</td>
<td>Retrospective application for erection of 2 garden sheds.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
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<tr>
<td>LA04/2017/0106/F</td>
<td>Windsor Baptist Church  140 Malone Avenue Belfast BT9 6ET</td>
<td>208-212 Lisburn Road Belfast BT9 6GD</td>
<td>Change of use from retail unit to place of worship including refurbishment and redeveloped with a two storey rear extension, single storey side extension and elevation changes.</td>
<td>Permission Granted</td>
<td>18/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0117/F</td>
<td>Matthew Gray  21 Lisleen Road East Belfast BT5 7TG</td>
<td>20 Templemore Avenue Belfast BT5 4FT</td>
<td>3 storey rear extension and change of use from dwelling to 3 one bedroom apartments</td>
<td>Permission Refused</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0158/F</td>
<td>Noel Gilroy Esq  91 Princetown Road Bangor BT20 3TG</td>
<td>412 Newtownards Road Belfast BT4 1HH</td>
<td>First floor rear office extension</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0197/F</td>
<td>Mrs C Coyle  11 Chesterfield Park Belfast BT6 0HQ</td>
<td>11 Chesterfield Park Belfast BT6 0HQ.</td>
<td>Single Storey Rear Extension (Amended proposal)</td>
<td>Permission Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0302/F</td>
<td>Mr anda Mrs Liam McGranaghan 7 Windsor Park Belfast BT9 6FQ</td>
<td>7 Windsor Park Malone Belfast BT9 6FQ.</td>
<td>Change of use from 2 no. apartments to 1 no. dwelling. Single storey rear extension. Erection of storage unit. Elevation changes.</td>
<td>Permission Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0303/LDE</td>
<td>Gerry Power  41 Wolfhill Road Belfast BT14 8SB</td>
<td>41 Wolfhill Road Belfast BT14 8SB</td>
<td>Existing dwelling (and associated curtilage)</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0337/F</td>
<td>Raidio Failte TEO  Unit 8 Curran House 155 Northumberland Street Beal Feirste BT13 2JF</td>
<td>Divis Tower Divis Street Belfast BT12 4QA</td>
<td>Erection of aerial (retrospective)</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0344/LBC</td>
<td>Ian McKnight  4 Cyprus Avenue Belfast BT5 5NT</td>
<td>4 Cyprus Avenue Belfast Co. Antrim BT5 5NT</td>
<td>Single storey and first floor rear extensions; external and internal alterations.</td>
<td>Consent Granted</td>
<td>15/08/2017</td>
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<tr>
<td>LA04/2017/0345/F</td>
<td>Ian McKnight 4 Cyprus Avenue Belfast BT5 5NT</td>
<td>4 Cyprus Avenue Belfast Co Antrim BT15 5NT</td>
<td>Single storey and first floor rear extensions; external and internal alterations.</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0359/F</td>
<td>Department for Communities Oxford House 49-55 Chichester Street Belfast BT1 4HH</td>
<td>Lands bounded by Stewartstown Road and rear of properties on Glasvey Close</td>
<td>Removal of existing 1.0m high fencing to be replaced by new 2.4m high Green rigid mesh fence, RAL 6005, and associated foundations plus a new run of 2.4m high fencing, including access gates, to be added around the properties of Glasvey Close.</td>
<td>Permission Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0387/A</td>
<td>Mr Justin Ward 8 Greenfields Way Armagh BT60 1NH</td>
<td>Unit 3 Boucher Retail Park Boucher Crescent Boucher Road Belfast BT126HT</td>
<td>1 Eddie rockets metal (White) Shop sign, 1 Eddie Rockets printed shop sign (circular)</td>
<td>Consent Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0392/A</td>
<td>John Kelly 21 Ashgrove Park Belfast BT14 6NE</td>
<td>Rosapenna Fuel Centre Land to the South of no 1 Rosapenna Street (Site Frontage on Rosapenna Street &amp; Oldpark Road) Belfast BT14 6GD</td>
<td>Powder coated aluminium sheeting advertisement</td>
<td>Consent Refused</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0405/DCA</td>
<td>Mr And Mrs Liam McGranaghan 7 Windsor Park Belfast BT9 6FQ</td>
<td>7 Windsor Park Malone Belfast BT9 6FQ</td>
<td>Demolition of parts of the rear and side walls</td>
<td>Consent Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
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<tr>
<td>LA04/2017/0461/F</td>
<td>Oakland (FRO) Ltd  c/o Like Architects 34 Bedford Street Belfast BT2 7FF</td>
<td>Lands at 12 to 30 Wellington Place (Oyster House) and 42-46 Upper Queen Street (Royston House) Belfast BT1 6FX</td>
<td>Extensions / Alterations to Oyster House and Royston House comprising of extensions to the 7th floor and 1 additional floor above for offices, an 9 storey lift core extension within the courtyard, creation of roof terrace, alterations to existing elevations and reconfiguration of ground floor to form to 2 new retail units and new entrance lobby on Wellington Place</td>
<td>Permission Granted</td>
<td>18/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0469/F</td>
<td>Hilary Wells  111 Osbourne Park Belfast BT9 6JQ</td>
<td>111 Osbourne Park Belfast BT9 6JQ</td>
<td>Single storey rear extension with raised patio (amended).</td>
<td>Permission Granted</td>
<td>18/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0483/A</td>
<td>Exterion Media Ltd  Unit D Second Floor No. 1 Lanyon Quay Belfast BT1 3LG</td>
<td>Junction of Sydenham Road + Airport Road Belfast BT3 9DP.</td>
<td>1No. 96 sheet externally illuminated advertising hoarding and 1No. 48 sheet lightbox internally illuminated advertising hoarding. Temporary permission for 2No. years.</td>
<td>Consent Refused</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0542/F</td>
<td>Mr Conor King  18 Myrtlefield Park Belfast BT9 6NE</td>
<td>18 Myrtlefield Park Belfast Co. Antrim. Belfast BT9 6NE.</td>
<td>Works include the addition of a single storey orangery extension; the alteration of several existing windows and relocation of rear entrance door; and change of roof type to existing narrae.</td>
<td>Permission Granted</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0546/F</td>
<td>Ms E Douglas  83 Colinglen Road Belfast BT17 0LW</td>
<td>83 Colinglen Road Belfast BT17 0LW.</td>
<td>Conversion of existing double garage to two storey single garage with study and store; ground floor kitchen extension at rear; ground floor livening room extension at front; replacement first floor bedroom at rear with raised ridge level.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<td>Date Decision Issued</td>
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<tr>
<td>LA04/2017/0556/A</td>
<td>Terry Ace Ormeau Road Credit Union 252-256 Ormeau Road Belfast BT7 2FZ</td>
<td>Ormeau Credit Union 252-256 Ormeau Road Belfast BT7 2FZ</td>
<td>Shopsign</td>
<td>Consent Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0573/F</td>
<td>Jim Logan 78 Newton Heights Belfast BT8 6HA</td>
<td>9 Euterpe Street Belfast BT12 5PS</td>
<td>Conversion of dwelling to HMO</td>
<td>Permission Refused</td>
<td>18/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0576/F</td>
<td>Emma Louise Lyons 175 Falls Road Belfast BT12 6AF</td>
<td>175 Falls Road Belfast BT12 6AF</td>
<td>Change of use from residential to offices</td>
<td>Permission Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0585/A</td>
<td>Clear Channel N I Ltd Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Outside Tescos Antrim Road BT15 2HH</td>
<td>Conversion of existing six sheet display unit incorporating into an existing Adshel Bus Shelter to a six sheet digital display screen</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0589/A</td>
<td>Clear Channel N I Ltd Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Outside Lidl In Shops High Street Belfast BT1 2AB</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six sheet digital display screen</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0590/A</td>
<td>Clear Channel N I Ltd Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Outside 133 Castlereagh Road Belfast BT5 5FF</td>
<td>Conversion of existing six sheet display unit incorporated into an Existing Adshel Bus Shelter to a six sheet digital display screen</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0601/A</td>
<td>BRS Golf Ltd City Quays 1 7 Clarendon Road Belfast BT1 3BG</td>
<td>City Quays 1 7 Clarendon Road Belfast BT1 3BG</td>
<td>2 no. internally illuminated signs</td>
<td>Consent Granted</td>
<td>24/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0620/F</td>
<td>Seamus Flannigan 23 Norfolk Parade Belfast BT11 8DA</td>
<td>23 Norfolk Parade Belfast BT11 8DA.</td>
<td>Proposed first floor extension with dormers to front and rear of existing detached dwelling.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0660/A</td>
<td>Clear Channel N I Ltd  Channel Commercial Park Quarry Road Belfast BT3 9DT</td>
<td>Shore Road O/S Seaview Belfast BT15 3PL</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six sheet digital display screen.</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0678/F</td>
<td>Nessa Agnew</td>
<td>5 Geneva Gardens Belfast BT9 5FY</td>
<td>Demolition of one storey lean-to and erection of two storey extension to the side and rear with kitchen/dining room, utility and master bedroom over.</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0707/F</td>
<td>Belfast City Council, Property And Projects Depart  First Floor Adelaide Exchange 24-26 Adelaide Street Belfast BT2 8GD</td>
<td>Andersonstown Leisure Centre Andersonstown Road Belfast BT11 9BY</td>
<td>Redevelopment of Andersonstown Leisure Centre to include demolition of existing leisure centre and ulster bank and the erection of new multi-purpose leisure facility building including family leisure water provision, 25m swimming pool, learner pool, fitness suite, fitness studios, ancillary rooms and associated works. Public and service vehicles access via Andersonstown Road and secondary service vehicle access from Owenvarragh park. External facilities include 2 No. five-a-side pitches, cycle and car parking, coach drop off points, landscaping, external water slide flumes and plaza area to the front of the centre and open space at the rear.</td>
<td>Permission Granted</td>
<td>08/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0723/F</td>
<td>Julie Nassey  128 Orangefield Crescent Belfast BT6 9GJ</td>
<td>128 Orangefield Crescent Belfast BT6 9GJ</td>
<td>2 storey rear extension with patio area. Erection of 2 side windows.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0728/DCA</td>
<td>Mr Conor King  18 Myrtlefield Park Belfast BT9 6NE</td>
<td>18 Myrtlefield Park Belfast BT9 6NE</td>
<td>Works include the addition of a single storey Victorian style Orangery; the alterations of several existing windows; the relocation of the existing rear entrance door; and the change of roof type to the existing detached double garage.</td>
<td>Consent Granted</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0783/DC</td>
<td>Olympian Homes  78 Buckingham Gate London SW1E 6PE</td>
<td>41-49 Queen Street 24-30 College Street 29 Wellington Place Belfast.</td>
<td>Discharge of Conditions 10 and 11 of LA04/2016/1252/F</td>
<td>Approval</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0785/A</td>
<td>Clear Channel N I Ltd  Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Opposite T K Maxx Boucher Crescent Retail Park Belfast BT12 6HU</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six sheet digital screen</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0787/A</td>
<td>Clear Channel N I Ltd  Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Outside City Hospital Opposite 173 Donegall Road BT12 5NA</td>
<td>Conversion of existing six sheet display unit incorporated into an existing Adshel Bus Shelter to a six sheet digital display screen</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0790/A</td>
<td>Clear Channel N I Ltd  Channel Commercial Park Queens Road Belfast BT3 9DT</td>
<td>Andersonstown Road Outside Beech Hall Opposite Lidl BT11 9BP</td>
<td>To incorporate a six sheet digital display unit into Belfast Rapid Transport bus stop shelter built as permitted development</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0864/F</td>
<td>Mr and Mrs Leggett  13 Kingsberry Park Belfast BT6 0HT</td>
<td>13 Kingsberry Park Belfast BT6 0HT</td>
<td>Single storey extension to rear and side of dwelling to allow an extended family room and kitchen and an additional bathroom and utility room.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0867/F</td>
<td>Jim Ferris Expedia Capital LLP 157 Roden Street Belfast BT12 5QA</td>
<td>357-359 Ormeau Road Belfast BT7 3GL</td>
<td>Change of use of ground floor from retail to sit in and takeaway pizzeria. First floor rear extension, new shopfront and extraction flue to rear (Amended Description)</td>
<td>Permission Granted</td>
<td>08/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0884/A</td>
<td>Education Authority Belfast 40 Academy Street Belfast BT1 2NQ</td>
<td>Edenderry Nursery School 1 Mayo Link Belfast BT13 3BH</td>
<td>Nursery school signage. 2 x Fixed to the surface of the building. 1 x Monolith free standing sign post.</td>
<td>Consent Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0888/F</td>
<td>Jennymount Methodist Church 230 North Queen Street Belfast BT15 3DH</td>
<td>Formerly 8-10 Gainsborough Drive Belfast BT15 3EL</td>
<td>Childrens play area</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0891/F</td>
<td>Mr David McAtamney 47 Denornt Park Belfast BT4 1SE</td>
<td>47 Denornt Park Belfast BT4 1SE</td>
<td>Removal of existing mono pitch roofs and replaced with single storey rear extension to existing residential dwelling. 3 no skylights to be provided in existing pitched roof to main dwelling</td>
<td>Permission Granted</td>
<td>08/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0912/F</td>
<td>Choice Housing Association Leslie Morrell House 37-41 May Street Belfast BT1 4DN</td>
<td>33 Queen Victoria Gardens Belfast BT15 3LW</td>
<td>Single storey rear extension. Elevation changes</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0914/F</td>
<td>David McAdoo 16 Massey Park Holywood BT4 2JX</td>
<td>16 Massey Park Holywood BT4 2JX</td>
<td>2 storey rear extension, single storey side extension. New front porch and rear patio with extension to existing front dormer. (Amended).</td>
<td>Permission Granted</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0924/F</td>
<td>David and Chris Wylie 4 Hornby Parade Belfast BT5 4TJ</td>
<td>101 Orby Road Belfast BT5 5HP</td>
<td>2 storey side extension, single storey rear extension. Associated works involving garden shed, rear patio and dropped kerb access</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0942/F</td>
<td>Angela NG 1 Glenview Drive Belfast BT5 7NA</td>
<td>1 Glenview Drive Belfast BT5 7NA</td>
<td>Single storey rear extension to provide open plan kitchen and living area and raised patio</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0946/F</td>
<td>Shauneen McCallin 24 Hawthorn Glen Hannahstown Belfast BT17 0NU</td>
<td>24 Hawthorn Glen Hannahstown Belfast BT17 0NU</td>
<td>2 storey side extension and associated works. Elevation changes</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0947/F</td>
<td>Valerie Burns 5 York Drive Belfast BT15 3QY</td>
<td>5 York Drive Belfast BT15 3QY</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0965/F</td>
<td>Paul and Maria Kuvakin 5 Ashfield Drive Belfast BT15 3FT</td>
<td>5 Ashfield Drive Belfast BT15 3FT</td>
<td>2 storey extension to side and rear of dwelling to provide extra bedroom and additional living and kitchen accommodation</td>
<td>Permission Refused</td>
<td>17/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0966/F</td>
<td>Rob &amp; Pippen McConachie 49 Malone Park Belfast BT9 6NN</td>
<td>49 Malone Park Belfast BT9 6NN</td>
<td>Ground floor and first floor side extension</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0979/F</td>
<td>Sandra Finney 13 Gilnahirk Avenue Belfast BT5 7DR</td>
<td>13 Gilnahirk Avenue Belfast BT5 7DR</td>
<td>2 Storey side and rear extension, single storey rear extension. Front ramped access/steps</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0982/F</td>
<td>Butros &amp; Inaam Copty 39 Cranmore Gardens Belfast BT9 6JL</td>
<td>59 Cranmore Gardens Belfast BT9 6JL</td>
<td>Conversion of garage to store and utility room with single storey side extension. Single storey rear extension and erection of rear patio</td>
<td>Permission Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0983/LBC</td>
<td>ES North Street Ltd</td>
<td>Bank Of Ireland 92-100 Royal Avenue Belfast BT1 1FE</td>
<td>Holding repairs and temporary works</td>
<td>Consent Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/0984/F</td>
<td>ES North Street C/O Agent The Gas Office 4 Cromac Quay Belfast BT7 2JD</td>
<td>Bank of Ireland 92-100 Royal Avenue &amp; all Hoarding Addresses Belfast BT1 2JA</td>
<td>Repairs and alterations to the elevations and erection of hoarding.</td>
<td>Permission Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2017/0985/F</td>
<td>Galgorm Properties 7 Corbally Road Ballymena BT42 1JQ</td>
<td>729 Lisburn Road Belfast BT9 7GU</td>
<td>Change of use from tyre depot/garage and subdivision to provide 2 café/restaurants with alterations to elevations. External seating area, new vehicular access, Extractor Unit Flue (Amended description plans). 2 storey rear extension, attic conversion with rear dormer. Alterations to garage elevations.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0989/F</td>
<td>Catriona Mullan 19 Orchardville Gardens Belfast BT10 0JU</td>
<td>19 Orchardville Gardens Belfast BT10 0JU</td>
<td>2 storey rear extension, attic conversion with rear dormer. Alterations to garage elevations.</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0991/F</td>
<td>Richard Shuttleworth 24 Wynnard Park Belfast BT5 6NS</td>
<td>24 Wynnard Park Belfast BT5 6NS</td>
<td>Ground floor rear extension and first floor side and rear extension</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0992/F</td>
<td>Mr Gary Bates 1012 Crumlin Road Ballysillan Upper Belfast BT14 8FH</td>
<td>1012 Crumlin Road Ballysillan Upper Belfast BT14 8FH</td>
<td>Single storey double garage with mezzanine storage in loft space.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/0994/DCA</td>
<td>Hillary Wells 111 Osbourne Park Belfast BT9 6JQ</td>
<td>111 Osbourne Park Belfast BT9 6JQ</td>
<td>Demolition of partial rear return</td>
<td>Consent Granted</td>
<td>18/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1018/F</td>
<td>B McAvoy 96 Mountmerrion Park Ballymaconaghy Belfast BT6 0GB</td>
<td>96 Mount Merrion Park Ballymaconaghy Belfast BT6 0GB</td>
<td>2 storey front extension</td>
<td>Permission Refused</td>
<td>17/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2017/1047/F</td>
<td>Rev &amp; Mrs C Hall-Thompson 7a Wilshire Drive Belfast BT4 2GP</td>
<td>27 Clonaver Crescent North Belfast BT4 2FD</td>
<td>Single storey side and rear extension</td>
<td>Permission Granted</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1054/DCA</td>
<td>Rob &amp; Pippen McConachie 49 Malone Park Belfast BT9 6NN</td>
<td>49 Malone Park Belfast BT9 6NN</td>
<td>Removal of rear portion of existing garage roof to accommodate first floor extension above.</td>
<td>Consent Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1071/F</td>
<td>Mr and Mrs Trojan 36 Ebrington Gardens Belfast BT4 3BY</td>
<td>36 Ebrington Gardens Belfast BT4 3BY</td>
<td>Roofspace conversion with rear dormer</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1073/F</td>
<td>Ms J Dalgarno 13 Marguerite Park Belfast BT10 0HF</td>
<td>13 Marguerite Park Belfast BT10 0HF</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1083/NMC</td>
<td>Leonard Skinner 67 Kingsway Park Belfast BT5 7EX</td>
<td>67 Kingsway Park Belfast BT5 7EX</td>
<td>Non material change to planning permission LA04/2016/0977/f</td>
<td>Consent Refused</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1092/A</td>
<td>Cardtronics Uk Ltd PO box 476 Hatfield AL10 1DT</td>
<td>Fullarton Pharmacy 16-20 East Bridge Street Belfast BT1 3NQ</td>
<td>1no illuminated top sign and 1no illuminated logo panel</td>
<td>Consent Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1105/LBC</td>
<td>Cardtronics UK Ltd PO Box 476 Hatfield AL10 1DT</td>
<td>Fullarton Pharmacy 16-20 East Bridge Street Belfast BT1 3NQ</td>
<td>The installation of an automated teller machine and signage</td>
<td>Consent Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1119/A</td>
<td>Energizinn LTD c/o Flannigan Edmonds Bannon 2 Donegall Square East Belfast BT1 5HB</td>
<td>10-14 Tomb Street Belfast BT1 3AS</td>
<td>Signage and graphic panel to shopfront.</td>
<td>Consent Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2017/1125/F</td>
<td>James Gordon BCC Project Management Unit 9 Adelaide Street 9-21 Adelaide Street Belfast BT2 8DJ</td>
<td>Lenadoon Millennium Park Belfast BT11 9</td>
<td>Replacement of 22.25 linear metres of 1.8m high steel bow-top fencing with 2.45m high paladin fencing.</td>
<td>Permission Granted</td>
<td>16/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1128/F</td>
<td>Declan Russell 8 Whitecliff Drive Belfast BT12 7JQ</td>
<td>Lands at 8 Whitecliff Drive Belfast BT12 7JQ</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1130/F</td>
<td>Galgorm Properties 7 Corbally Road Ballymena BT42 1JQ</td>
<td>713 Lisburn Road Belfast BT9 7GT</td>
<td>Ground floor and first floor rear extension (retail unit 2)</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1135/F</td>
<td>EA Lonergan Montgomery House 29-33 Montgomery Street Belfast BT1 4NX</td>
<td>4 Annadale Avenue Belfast BT7 3JH</td>
<td>Demolition of existing side and rear returns. Three storey rear extension to main block with elevation changes. Erection of 2 storey coach house to rear of main block. Reconfiguration of car parking and alterations to main entrance.</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1141/F</td>
<td>Department For Communities Causeway Exchange Belfast BT2 7EG</td>
<td>Area of public land from 854 Crumlin Road to Springvale Fold along Blislon Road Loughview Street extending to 24 Leroy Street.</td>
<td>Enviromental improvements to include resurfacing of footpaths, new boundary treatments, new street lighting, new street furniture, new tree/shrub planting.</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1144/F</td>
<td>Cardtronics UK Ltd PO Box 476 Hatfield AL10 1DT</td>
<td>Fullerton Pharmacy 16-20 East Bridge Street Belfast BT1 3NQ</td>
<td>ATM</td>
<td>Permission Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1152/F</td>
<td>Energizinn LTD C/O Adrian Bannon Flannigan Edmonds Bannon 2 Donegal Square East Belfast BT1 5HB</td>
<td>10-14 Tomb Street Belfast BT1 3AS</td>
<td>Alterations to front elevation</td>
<td>Permission Granted</td>
<td>04/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2017/1154/F</td>
<td>Commercial Court Inns Ltd C/O W Jack/ Director 7-13 Commercial Court Belfast BT1 2NB</td>
<td>25-33 Hill Street Belfast BT1 2LA</td>
<td>Alterations to extant planning permission LA04/2016/1406/F involving an extension of the approved cold store; 4 storey rear extension to accommodate fire escape stair; construction of a link from the repositioned fire escape stair to the 1st, 2nd + 3rd floors of the main building + minor alterations to the Hill Street façade.</td>
<td>Permission Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1156/DCA</td>
<td>Commercial Court Inns Ltd C/O W Jack/ Director 7-13 Commercial Court Belfast BT1 2NB</td>
<td>25-33 Hill Street Belfast BT1 2LA</td>
<td>Removal of large glazed curtain wall and fenestration at ground floor facing Hill Street; The demolition of a rear fire escape stair; Internal demolitions of partitions, stairway, lift and lift shaft.</td>
<td>Consent Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1167/DCA</td>
<td>Caroline Agnew 10 Windsor Park Belfast BT9 6FQ</td>
<td>10 Windsor Park Belfast BT9 6FQ</td>
<td>Partial demolition of rear and side walls to facilitate for new rear extension including the demolition of a wooden shed structure in the rear garden</td>
<td>Consent Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1168/F</td>
<td>Caroline Agnew 10 Windsor Park Belfast BT9 6FQ</td>
<td>10 Windsor Park Belfast BT9 6FQ</td>
<td>Proposed rear and side extension to existing dwelling house. Elevation changes</td>
<td>Permission Granted</td>
<td>15/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1169/DCA</td>
<td>Butros and Inaam Cooty 39 Cranmore Gardens Belfast BT9 6JL</td>
<td>59 Cranmore Gardens Belfast BT9 6JL</td>
<td>Demolition of existing garage, rear sunroom extension, patio steps and 2No. internal walls</td>
<td>Consent Granted</td>
<td>07/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1183/F</td>
<td>Anthony Morgan 50 Glasswater road Crossgar Downpatrick BT30 9DN</td>
<td>8 Beechgrove Crescent Ballymacnaghy Belfast BT6 0NG</td>
<td>Single storey extension to rear</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
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<tr>
<td>LA04/2017/1196/F</td>
<td>Alan and Nicola Bailie</td>
<td>95 Wandsworth Road Belfast BT4 3LT</td>
<td>Replace rendering on original dwelling house with smooth render. Retain original window and front door external mouldings where possible. Damaged mouldings will be replaced with similar bands if retention of originals unfeasible (we aim to keep original features and repair whatever possible) Replace existing white PVC double glazing like for like. Repair/replace where necessary existing soffits, fascia boards and drainpipes to original dwelling. Replace tarmac drive with brick paviours.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1208/O</td>
<td>Peter Donnelly</td>
<td>598 Antrim Road Belfast BT15 5GN</td>
<td>Proposed site for new dwelling</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1212/NMC</td>
<td>Neil Allsopp</td>
<td>396 Belmont Road Belfast BT4 2NH</td>
<td>Non material changes to Planning Application Z/2010/0582/F</td>
<td>Consent Refused</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1217/F</td>
<td>NIW Water</td>
<td>40 Old Westland Road Belfast</td>
<td>Retention of PV panels installed on roof of covered reservoir</td>
<td>Permission Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1227/F</td>
<td>Mr and Mrs Cherian</td>
<td>15 Viewfort Park Belfast BT17 9JY</td>
<td>Roofscape conversion including 2 dormer windows to the front and elevational changes.</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1229/F</td>
<td>Richard Snoddon</td>
<td>72 Sydenham Avenue Belfast BT4 2DS</td>
<td>Proposed 2 storey rear extension and internal alterations to existing dwelling</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
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<tr>
<td>LA04/2017/1230/F</td>
<td>Richard Snoddon 1 Marquess Court</td>
<td>70 Sydenham Avenue Belfast BT4 2DS</td>
<td>Proposed 2 storey rear extension and internal alterations to existing</td>
<td>Permission</td>
<td>21/08/2017</td>
</tr>
<tr>
<td></td>
<td>Hillsborough BT26 6GB</td>
<td></td>
<td>dwelling</td>
<td>Granted</td>
<td></td>
</tr>
<tr>
<td>LA04/2017/1261/A</td>
<td>Richard McCracken 228-230 Upper Newtownards Road</td>
<td>228-230 Upper Newtownards Road Belfast BT4 3ET</td>
<td>Restaurant sign</td>
<td>Consent</td>
<td>22/08/2017</td>
</tr>
<tr>
<td></td>
<td>Court Hillsborough Belfast BT4 3ET</td>
<td></td>
<td></td>
<td>Granted</td>
<td></td>
</tr>
<tr>
<td>LA04/2017/1265/F</td>
<td>Prof Timothy Harrison 33 Earlswood Road</td>
<td>33 Earlswood Road Belfast BT4 3DZ</td>
<td>Single storey rear extension to dwelling with detached replacement garage. Side door with steps.</td>
<td>Permission</td>
<td>22/08/2017</td>
</tr>
<tr>
<td></td>
<td>Belfast BT4 3DZ</td>
<td></td>
<td></td>
<td>Granted</td>
<td></td>
</tr>
<tr>
<td>LA04/2017/1266/F</td>
<td>Mr and Mrs N McCallum 22 Wynchurch Avenue</td>
<td>22 Wynchurch Avenue Belfast BT6 0JQ</td>
<td>2 storey side and rear extension</td>
<td>Permission</td>
<td>21/08/2017</td>
</tr>
<tr>
<td></td>
<td>Belfast BT6 0JQ</td>
<td></td>
<td></td>
<td>Refused</td>
<td></td>
</tr>
<tr>
<td>LA04/2017/1267/A</td>
<td>Car Park Services Ltd 36 Great Patrick</td>
<td>Junction of Samuel Street and Millfield</td>
<td>Retention of 2 No.freestanding panel signs including a 'V' sign.</td>
<td>Consent</td>
<td>30/08/2017</td>
</tr>
<tr>
<td></td>
<td>Street Belfast BT1 2LT</td>
<td>Belfast BT1 1JE</td>
<td></td>
<td>Granted</td>
<td></td>
</tr>
<tr>
<td>LA04/2017/1271/F</td>
<td>Mrs Margaret Hesketh 39 Glenhurst Drive</td>
<td>39 Glenhurst Drive Newtownabbey BT36 7JP</td>
<td>Single storey side and rear granny annex extension.</td>
<td>Permission</td>
<td>06/09/2017</td>
</tr>
<tr>
<td></td>
<td>Belfast BT36 7JP</td>
<td></td>
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<td>Granted</td>
<td></td>
</tr>
<tr>
<td>LA04/2017/1277/DC</td>
<td>Andras Hotels 60 Great Victoria Street</td>
<td>7-13 Hope Street Belfast BT12 5EE</td>
<td>Discharge of condition 3 planning application Z/2014/1627/F RL</td>
<td></td>
<td>08/08/2017</td>
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<tr>
<td></td>
<td>Belfast BT2 7BB</td>
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<tr>
<td>LA04/2017/1283/NMC</td>
<td>Mr &amp; Mrs CJ McAuley 71A Osborne Park</td>
<td>Belvedere 23 Notting Hill Belfast BT9 5NS</td>
<td>Non material change to LA04/2016/0518/F</td>
<td>Consent</td>
<td>29/08/2017</td>
</tr>
<tr>
<td></td>
<td>Belfast BT9 6JP</td>
<td></td>
<td></td>
<td>Refused</td>
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<tr>
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<tr>
<td>LA04/2017/1297/F</td>
<td>Neil and Paul McCarthey 83 Milltown Street Burren Warrenpoint</td>
<td>34 University Street Belfast</td>
<td>Change of use from dwelling to 2No. apartments with elevation changes</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1303/A</td>
<td>Lacuna Dublin Road Ltd 74a High Street Holywood BT18 9AZ</td>
<td>78-86 Dublin Road Belfast BT2 7BY</td>
<td>Erection of 1No. PPC aluminium sign adjacent to main entrance on corner of Fulton Street/Dublin Road; 1 No. PPC aluminium sign on Pakenham Street elevation; 1 No. double sided suspended sign above main entrance at Dublin road (3 No. signs in total)</td>
<td>Consent Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1306/F</td>
<td>John McIlhone C/O Beechlawn House Hotel Belfast BT17 9RR</td>
<td>Beechlawn House Hotel Dunmurry Belfast BT17 9RR</td>
<td>2 storey lift/stair extension to front of building at entrance, new extended canopy/drop off point at entrance, single storey side extension to main lounge, single storey toilet block extension to rear, 1st floor front extension.</td>
<td>Permission Granted</td>
<td>11/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1313/F</td>
<td>Joseph Morgan 122a Upper Lisburn Road Belfast BT10</td>
<td>122a-c Upper Lisburn Road Belfast</td>
<td>Proposed change of use from sandwich bar for take-away with some fixed seating for café type use to hot food take away including seating area (sui generis use). Also retention of associated large exterior extractor flue.</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1314/F</td>
<td>Richard McCracken Cyprus Avenue 228-230 Upper Newtownards Road Belfast BT4 3ET</td>
<td>228-230 Upper Newtownards Road Belfast BT4 3ET</td>
<td>Retrospective application for external dining area with awning</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1316/A</td>
<td>Gavin Adair 345 Ormeau Road Belfast BT7 3GL</td>
<td>345 Ormeau Road Belfast BT7 3GL</td>
<td>Shop Signage &quot;Centra&quot;</td>
<td>Consent Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
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<tr>
<td>LA04/2017/1319/DC</td>
<td>Hall Black Douglas 152 Albertbridge Road Befast BT5 4GS</td>
<td>The Tropical Ravine Botanic Gardens Belfast</td>
<td>Discharge of Condition 4 - Z/2013/0966/F</td>
<td>Approval</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1321/F</td>
<td>A Doran 72 Brompton Park Belfast BT14 7LD</td>
<td>72 Brompton Park Belfast BT14 7LD</td>
<td>Two storey rear extension</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1351/F</td>
<td>N McRoberts 4c Haddockstown Road Ballinderry Lisburn BT28 2LP</td>
<td>70 Ashley Avenue Malone Lower Belfast BT9 7BU</td>
<td>Change of use from dwelling to 2no. 2-bedroom apartments, single storey front extension and increase in height to create full first floor. Elevation changes.</td>
<td>Permission Refused</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1355/F</td>
<td>Bernadette McEntyre 17 Donegall Park Belfast BT10</td>
<td>17 Donegall Park Belfast</td>
<td>Single storey rear extension with rear steps</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1358/LDE</td>
<td>QUB Estates Department University Road BT7 1NN</td>
<td>Level 01 90 Lisburn Road Belfast BT9 6AG</td>
<td>Existing use of 1st floor as an office</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1360/F</td>
<td>Stuart McDougall 3 Belmont Grange Belfast BT4 2AF</td>
<td>3 Belmont Grange Belfast</td>
<td>Single storey rear sunroom</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1379/DCA</td>
<td>B &amp; I Simms 1 Lancefield Road Belfast BT9 6LL</td>
<td>1 Lancefield Road Belfast BT9 6LL</td>
<td>Demolition of a part rear wall.</td>
<td>Consent Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1380/F</td>
<td>B &amp; I Simms 1 Lancefield Road Belfast BT9 6LL</td>
<td>1 Lancefield Road Belfast BT9 6LL</td>
<td>Single storey rear extension with first floor roof balcony.</td>
<td>Permission Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1384/F</td>
<td>John Kingsley 20 Galwally Avenue Belfast BT8 7AJ</td>
<td>20 Galwally Avenue Belfast BT8 7AJ</td>
<td>Single storey front extension</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<td>Location</td>
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<tr>
<td>LA04/2017/1399/F</td>
<td>Johncorp (no3) Ltd and Ulster Bank Ltd Rushmere House 46 Cadogan Park Belfast BT9 6HH</td>
<td>Units F and G Westwood Shopping Centre 51 Kennedy Way Belfast BT11 9BQ</td>
<td>Variation of condition 2 (gross floorspace restriction) of planning permission Z/2011/1494 (Proposed extension and alterations to existing Westwood Centre to provide new car parking, new retail and ancillary storage incorporating a 35,000 ft. sq. food store) to allow for the reconfiguration of Units F and G and an increase in the gross floorspace of Unit F</td>
<td>Permission Granted</td>
<td>17/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1405/F</td>
<td>Virgin Media Media House Bartley Wood Business Park Hook England RG27 9UP</td>
<td>Virgin Media Unit 3 Kennedy Way Blackstaff Road Belfast County Antrim BT11 9DT</td>
<td>The installation of a free air handling unit, to serve the internal digital media equipment. The construction of an escape lobby between the existing satellite compound and proposed free air handling unit. Installation of internal units within the existing data hall. Installation of external condenser units, serving the internal data halls.</td>
<td>Permission Granted</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1409/DC</td>
<td>Apex Housing Association Forner Corpus Christi College (AKA St Peter's School) Brittons Parade Belfast BT12 6FF</td>
<td></td>
<td>Discharge of condition 10 (b) of Z/2014/0700/F</td>
<td>Approval</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1417/F</td>
<td>Paul and Nadine O'Hare 131 Rushfield Avenue Belfast BT7 3FR</td>
<td>131 Rushfield Avenue Belfast BT7 3FR</td>
<td>2 storey side and rear extension</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1434/F</td>
<td>Katherine Kerr 124 Orchardville Crescent Belfast BT10 0JT</td>
<td>124 Orchardville Crescent Belfast BT10 0JT</td>
<td>Single storey side extension with removal of door and window and installation of replacement window</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
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<tr>
<td>LA04/2017/1443/F</td>
<td>Best Restaurants  18 Comber Road Killinchy BT23 6PB</td>
<td>411-419 Upper Newtownards Road Belfast BT4</td>
<td>Single storey front lobby extension</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1449/DC</td>
<td>Belfast City Council</td>
<td>Cherryvale Playing Fields Ravenhill Road Belfast BT6 0BT</td>
<td>Discharge of condition 2 Z/2014/1124/F</td>
<td>Approval</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1462/F</td>
<td>Gavin Adair  345 Ormeau Road Belfast BT7 3GL</td>
<td>345 Ormeau Road Belfast BT7 3GL</td>
<td>Refurbishment of exterior facade and shopfront (retrospective)</td>
<td>Permission Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1463/F</td>
<td>Daniel Savage  8 Haypark Avenue Belfast BT7 3FD</td>
<td>8 Haypark Avenue Belfast BT7 3FD</td>
<td>Single storey rear extension</td>
<td>Permission Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1476/DC</td>
<td>Translink/Michelle Alcom  3 Milewater Road Belfast BT3 9BG</td>
<td>Site opposite (south east of) 48 Duncrue Street Belfast BT3 9AR</td>
<td>Discharge of condition 8 LA04/2016/1691/F</td>
<td>Approval</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1486/F</td>
<td>Jaleel Azfar  31 Hay Park Avenue Belfast BT7 3FD</td>
<td>1 Castleward Park Belfast BT8 7DG</td>
<td>Variation of condition 2 and 4 of LA04/2016/1599/f which refers to opening hours and cooking food</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1496/F</td>
<td>Musgrave Retail Partners NI  1-19 Dargan Drive Belfast BT3 9JG</td>
<td>1-15 Dargan Crescent Duncrue Road Belfast BT3 9HJ</td>
<td>Proposed new entrance to front elevation</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1502/A</td>
<td>Clear Healthcare  157-173 Roden Street Belfast BT12 5QA</td>
<td>177 Lisburn Road Malone Lower Belfast BT9 7AJ</td>
<td>Retention of shroud banner signage to façade of vacant building.</td>
<td>Consent Refused</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<tr>
<td>LA04/2017/1511/F</td>
<td>Belvoir Park LLP 14 Holywell Row London EC2A4JR</td>
<td>Lands identified as site 8 Belvoir Park Hospital Hospital Road Belfast.</td>
<td>Proposed 1 detached dwelling (amendment to house type previously approved under application LA04/2016/1543/RM).</td>
<td>Permission Granted</td>
<td>08/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1513/F</td>
<td>Lorraine Hamill 38 Appleton Park Belfast BT11 9JE</td>
<td>38 Appleton Park Belfast BT11 9JE</td>
<td>Single storey side and rear extension with erection of rear window</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1524/NMC</td>
<td>NI Housing Executive 32-36 Great Victoria Street Belfast BT2 7BA</td>
<td>8 Archdale Drive Belfast BT8 7RF</td>
<td>Non Material Change to LA04/2017/0257/F</td>
<td>Consent Granted</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1526/NMC</td>
<td>Kilmona Property Ltd 8th Floor Bedford House 16-22 Bedford Street Belfast BT2 7DX</td>
<td>Lancashire House 3 to 5 Linenhall Street Belfast</td>
<td>Non Material Changes to LA04/2016/2116/F</td>
<td>Consent Refused</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1551/DC</td>
<td>Linenroom Leisure Ltd</td>
<td>Vacant site Adjacent to 21 Social Public House 1 Hill Street Belfast BT1 2LA</td>
<td>Discharge of condition No. 2 of planning ref. Z/2014/1067/F</td>
<td>Approval</td>
<td>08/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1559/LDE</td>
<td>Kieran Mooney 276 Stranmillis Road Belfast BT9 5DZ</td>
<td>24 Ridgeway Street Belfast BT9 5FB</td>
<td>House of Multiple occupancy (HMO)</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1586/LBC</td>
<td>National Museums Northern Ireland (Mr Stephen Johnston) 153 Bangor Road Cultra Holywood BT18 0EU</td>
<td>Ulster Museum Botanic Gardens Stranmillis Road Belfast BT9 5AB</td>
<td>Erection of scaffolding and installation of Poppies &quot;WEEPING WINDOW&quot; art sculpture for the months of October, November and December 2017.</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
<td>Decision</td>
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</tr>
<tr>
<td>LA04/2017/1588/F</td>
<td>National Museums Northern Ireland (Mr Stephen Johnston) 153 Bangor Road Cultra Holywood BT18 0EU</td>
<td>Ulster Museum Botanic Gardens Stranmillis Road Belfast BT9 5AB</td>
<td>This application relates to the erection of a scaffolding structure and installation of the Poppies &quot;WEEPING WINDOW&quot; art sculpture to the Front Elevation (Botanic Gardens) of the Ulster Museum.</td>
<td>Permission Granted</td>
<td>22/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1613/A</td>
<td>CPD Architectural Branch 1 Properties Division 303 Airport Road West Belfast BT3 9ED</td>
<td>Colby House Stranmillis Court Belfast BT9 5RR</td>
<td>New free standing totem sign.</td>
<td>Consent Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1636/F</td>
<td>Mr &amp; Mrs Russell 5 Hillhead Drive Belfast BT11 9FT</td>
<td>5 Hillhead Drive Belfast BT11 9FT</td>
<td>Single storey side and rear extension</td>
<td>Permission Granted</td>
<td>08/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1665/DC</td>
<td>Lacuna Dublin Road Ltd Centre House 4 High Street Holywood BT18 9AZ</td>
<td>Lands at 78-86 Dublin Road Belfast BT2 7BY</td>
<td>Discharge of condition 5 of LA04/2015/1175/F</td>
<td>Approval</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1666/DC</td>
<td>Apex Housing Association 10 Butcher Street Londonderry BT48 6HL</td>
<td>Dunmore Industrial Estate 261 Alexandra Park Avenue Belfast BT15 3GF</td>
<td>Discharge of conditions No’s 11, 12, 15, 16 and 17 of Z/2012/1054/F</td>
<td>Approval</td>
<td>31/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1669/F</td>
<td>Lacuna Dublin Road Ltd 74a High Street Holywood BT18 9AZ</td>
<td>78-86 Dublin Road Belfast BT2 7BY</td>
<td>2No. boiler flues (retrospective)</td>
<td>Permission Granted</td>
<td>31/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1674/NMC</td>
<td>Mr &amp; Mrs M McGuigan 23 Diamond Gardens Belfast BT10 0HD</td>
<td>23 Diamond Gardens Belfast BT10 0HD</td>
<td>Non Material Change to LA04/2016/0398/F</td>
<td>Consent Granted</td>
<td>15/08/2017</td>
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<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
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<td>Proposal</td>
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<tr>
<td>LA04/2017/1704/DC</td>
<td>Filor Housing Association &amp; Lavinmore</td>
<td>Lands at the junction of Shankill Road Lanark Way and bounded by Caledon Street Belfast</td>
<td>Discharge of condition 15,16, and 17 of planning approval Z/2010/0610/F</td>
<td>Approval</td>
<td>31/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1711/NMC</td>
<td>Habinteg Housing Association Alex Moira House 22 Hibernia Street Holywood BT18 9JE</td>
<td>54-60 Whitewell Road Belfast BT36 7EF</td>
<td>Non Material Change to LA04/2016/1491/F</td>
<td>Consent Refused</td>
<td>31/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1734/LDE</td>
<td>Mr P Digney 6 Shinn School Road Newry BT35 6HT</td>
<td>24 Strandview Street Malone Lower Belfast</td>
<td>House of multiple occupation.</td>
<td>Permission Refused</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1749/NMC</td>
<td>Patton Developments Ltd 25 Oakdale Glen Harrogate HG1 2JY</td>
<td>28-30 Great Patrick Street Belfast BT1 2LT</td>
<td>Non material change to Z/2014/1657/F reducing car parking provision from 12 to 6 spaces to create additional plant space</td>
<td>Consent Refused</td>
<td>08/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1765/DC</td>
<td>Belvoir Park LLP 14 Holywell Row London EC2A4JB</td>
<td>Belvoir Park Hospital Hospital Road Belfast BT8 8JP</td>
<td>Discharge of conditions 6a,6b,6c,6d LA04/2016/1543/RM</td>
<td>Approval</td>
<td>06/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1815/CONTPO</td>
<td>Niamh Kennedy 8 Malone Park Belfast BT9 6NH</td>
<td>8 Malone Park Belfast BT9 6NH</td>
<td>Felling of 70ft Lawson cypress</td>
<td>Consent Granted</td>
<td>28/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1817/CONTPO</td>
<td>NI Planning Permission (Mr Patrick Reilly) Scottish Provident Building 7 Donegall Square West Belfast BT1 6JH</td>
<td>St Annes Cathedral Donegal Street Belfast BT1 2HB</td>
<td>Removal of 6 trees in cathedral car park.</td>
<td>Consent Granted</td>
<td>28/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
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<tr>
<td>LA04/2017/1961/CONTPO</td>
<td>Cameron landscapes Geoffrey Cameron 148 Ballylesson Road Belfast BT8 8JU</td>
<td>16 Osborne Gardens Belfast BT9 6LE</td>
<td>Tree surgery reduce end weight by up to 30%</td>
<td>Consent Granted</td>
<td>05/09/2017</td>
</tr>
<tr>
<td>LA04/2017/1963/CONTPO</td>
<td>NI Planning Permission (Mr Patrick Reilly) Scottish Provident Building 7 Donegall Square West Belfast BT1 6JH</td>
<td>Car Park St Annes Cathedral Donegall Street Belfast BT1 2HB</td>
<td>works to 6 trees within car park of St Annes Cathedral</td>
<td>Consent Granted</td>
<td>31/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1965/CONTPO</td>
<td>Mr Gavin Cairns 56A Kings Road Belfast BT5 6JL</td>
<td>56A Kings Road Belfast BT5 6JL</td>
<td>Works to trees</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1966/CONTPO</td>
<td>Belfast City Council Joe Higginson Woodland and Recreation Officer City Hall Belfast</td>
<td>Footway opposite 12 Cranmore Avenue Belfast</td>
<td>Removal of mature tree</td>
<td>Consent Granted</td>
<td>09/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1967/CONTPO</td>
<td>Mr Austin Smyth Belfast BT5 6JS</td>
<td>21 Kings Road Belfast BT5 6JS</td>
<td>Reduce the ends of cherry tree by 3 meters</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1968/CONTPO</td>
<td>Emma Taylor 21 Bawnmore Road Belfast BT9 6LA</td>
<td>21 Bawnmore Road Belfast BT9 6LA</td>
<td>Remove 4 castlewellan gold</td>
<td>Consent Granted</td>
<td>30/08/2017</td>
</tr>
<tr>
<td>LA04/2017/1969/CONTPO</td>
<td>Mr Declan Doyd 38 Fortwilliam Park Belfast BT15 4AQ</td>
<td>Dominican College 38 Fortwilliam Park Belfast BT15 4AQ</td>
<td>Works to trees</td>
<td>Consent Granted</td>
<td>28/08/2017</td>
</tr>
<tr>
<td>Reference Number</td>
<td>Applicant Name &amp; Address</td>
<td>Location</td>
<td>Proposal</td>
<td>Decision</td>
<td>Date Decision Issued</td>
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<tr>
<td>LA04/2017/1977/CONTPO</td>
<td>Catherine Finnegan 11 Cranmore Gardens Belfast BT9 6JL</td>
<td>11 Cranmore Gardens Belfast BT9 6JL</td>
<td>Remove tree roots growing over lead pipes</td>
<td>Consent Granted</td>
<td>01/09/2017</td>
</tr>
<tr>
<td>Z/2014/1408/F</td>
<td>S Crowther, Designs Matter 8 Wellington Park Belfast BT9 6DS</td>
<td>Single field to north of Lyndhurst View Park off Ballymagarry Lane Belfast</td>
<td>Proposed housing development of 51 no. residential units comprising 46 no. semi-detached and 5 no. detached dwellings with associated access, landscaping/open space and site works</td>
<td>Permission Granted</td>
<td>21/08/2017</td>
</tr>
</tbody>
</table>
Dear Sir/Madam:

RE: Lawther Court, Belfast

The above extinguishment order was confirmed without modification by the Department for Communities on the 11th August 2017.

I enclose a voucher copy of the press notice for your information.

Yours faithfully,

Orla Murphy
Planning Officer
Northern Ireland Housing Executive
Land & Regeneration Services
Planning Applications

The Department for the Economy is launching a Second Call for Applications to the Northern Ireland European Social Fund (ESF) Programme 2014-2020.

The Programme aims to help people improve their skills, find employment and access the economic opportunities of the Single Market.

The Programme offers non-profit organisations, businesses, local authorities, universities, colleges, training and education providers, community bodies and individuals.

Applications are open to organisations that can design and deliver projects that represent added value for individuals, are promoting social inclusion and contribute to a fairer society.

A complete Application Form and all supporting documentation must be submitted by 12 noon on 13 October 2017.

ESF CALL 2 INFORMATION EVENTS

A series of ESF Call 2 Information Events for Funding Competition will commence on 10.00am on 11 September 2017.

Information events will be held in four areas in Northern Ireland and will be advertised on the Department’s website at https://www.economy-ni.gov.uk/esf-call2.

The Information events will cover the following:

- Call 2 Application Form and all additional documentation must be submitted by 12 noon on 13 October 2017.
- ESF Call 2 Information Events for Funding Competition will commence on 10.00am on 11 September 2017.
- Information events for Call 2 Application for Funding Competition are available on the Department’s website at https://www.economy-ni.gov.uk/esf-call2.

Applications are open to organisations that can design and deliver projects that represent added value for individuals, are promoting social inclusion and contribute to a fairer society.

Applications are open to organisations that can design and deliver projects that represent added value for individuals, are promoting social inclusion and contribute to a fairer society.
5th September 2017

Dear Sir/Madam,

RE: Extinction of Public Rights-of-Way at: Mountpottinger Road, Belfast, Order No. 1, 2016; Annalee Court, Belfast, Order No. 1, 2016; Hopewell Crescent, Belfast, Order No. 1, 2016; Bandon Court, Belfast, Order No. 1, 2016

The Northern Ireland Housing Executive made an Order on 13th February 2017 that certain Public Rights-of-Way within the undenoted areas to be extinguished. Approval for these extinguishments is at present being sought from the Department for Communities, Causeway Exchange, 1-7 Bedford Street, Belfast BT2 7EG.

The Exstinction of Public Rights-of-Way at each of the areas listed above is explained as follows:

- **Mountpottinger Road** is required to facilitate a transfer of land for residential development, as approved by the NIHE on the 2nd June 2016.
- **Annalee Court** has been requested by the Department of Infrastructure. The former houses have been demolished and the area has now been grassed over; and no longer serves pedestrian or vehicle access.
- **Hopewell Crescent** (specifically adjacent to No.55) has been requested to eliminate a risk to public safety due to vandals removing metal railings. This would allow the NIHE to fill up the void and remove the risk.
- **Bandon Court** - requested by Housing Services to provide front gardens for 12 and 14 Bandon Court, in order to prevent anti-social behaviour; thus providing a defensible space with a fence around it.

See enclosed a map for each of the areas listed above, which shows the area to be extinguished highlighted in red. The Press Notice regarding the Making of the Order is also enclosed.

If you wish to make any comments, could you please send them to me by the 22nd September 2017. I will write to you again to let you know the results of this submission.

Yours sincerely,

Orla Murphy
Land & Regeneration Division, Belfast Area
BELFAST, MOUNTPOTTINGER ROAD
Exinguishment of Public Right-of-Way
Order No. 1, 2016
Map dated

NORTHERN IRELAND HOUSING EXECUTIVE,
THE HOUSING CENTRE,
2ADELAIDE STREET, BELFAST, BT2 8PB

OSNI Reference: IG 130-14SW2
Scale: 1500
Your Reference:

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BELFAST, HOPEWELL CRESCENT
Extinguishment of Public Right-of-Way
Order No. 1, 2016
Map dated 12 SEP 2017

NORTHERN IRELAND HOUSING EXECUTIVE,
THE HOUSING CENTRE,
2 ADELAIDE STREET, BELFAST, BT2 8PB

OSNI Reference 1G 130-13NW2/NE1
Scale 1:250
Your Reference:

Based upon Ordnance Survey of Northern Ireland's data with the permission of the Controller of Her Majesty's Stationery Office, © copyright and database rights NIMA ES&LA209.3

Page 66
## Purpose of Report or Summary of main Issues

1.0 **Correspondence** has been received from the Historic Environment Division (HED) regarding the proposed listing of buildings in Belfast. Article 80 (3) of the Planning Act (NI) 2011 requires the HED to consult with the Council before placing any building on the statutory list of buildings of special architectural or historic interest.

### Recommendations

2.0 **The Committee is requested to:**

- note the contents of Appendix 1; and
- support the proposed listings of the buildings as detailed in paragraphs 3.6 and 3.9

### Main report

3.0 **The Second Survey of all of Northern Ireland’s building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. This second survey for Belfast is due to be completed in 2017.**

3.2 **In considering whether to include a building as Listed, the Historic Environment Division (HED) takes into account the architectural and historic interest of a structure and is also given the power to consider:**

- any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and
- the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.

3.3 **Should the Department for Communities decide to list a property, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.**
The summaries set out in Appendix 1 for the proposed listed buildings are taken from the property evaluation and detail the main features alongside the recommended class of listing. The appendix also sets out the summary of the four categories (A to B2) for Listed buildings in Northern Ireland under the ongoing work as part of the Second Survey.

The proposed listing for 30 Malone park was considered at Committee on 15 August 2017 and deferred so that further clarification could be sought from the HED regarding the process that had been undertaken to list the property.

The Historic Environment Division has confirmed that their normal processes were followed in the consideration and subsequent recommendation to Council for the listing for 30 Malone Park. However, it should be noted that HED have agreed to outline the process for the consideration of listed building in a separate presentation to this Committee. It is recommended the Committee supports the proposed listing, of 30 Malone Park, in recognition of the heritage value set out in Appendix 1.

In regard to the properties on North Street the Committee may wish to note that earlier this year Planning Service became aware that a number of building with potential heritage value were at risk of demolition. Following initial investigations and consultations Building Preservation Notices were placed on three properties at 150 to 174 North Street and HED were formally requested to consider the merits of listing the properties.

The Department based on the completion of detailed surveys, is currently considering the listing of the two of the three properties and has requested the Council’s comments in relation to:

- 156 – 164 North Street, Belfast, BT1 1LF
- 166 – 174 North Street, Belfast, BT1 1QS

As outlined above Planning Service requested that the HED to consider the listing of three properties on North Street. It is, therefore, recommended that the Committee supports the proposed listing of 156 to 174 North Street, in recognition of the heritage value detailed in Appendix 1.

Financial & Resource Implications
None

Equality or Good Relations Implications
None

Appendices – Documents Attached

APPENDIX 1: Property Evaluations
APPENDIX 2: Imagery
APPENDIX 1: Listed Building Property Evaluations

Background

The Second Survey of all of Northern Ireland’s building stock, is currently underway, to update and improve on the first List of buildings of special architectural or historic interest which began in 1974. This second survey in Belfast is due to be completed in 2017.

In considering whether to include a building as Listed, the Department (NIEA) takes into account the architectural and historic interest of a structure and is also given the power to consider:-

- any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and
- the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building which consists of a manmade object or structure fixed to the building or which forms a part of the land and which is comprised within the curtilage of the building.

Should the Department for Communities decide to list, this places certain responsibility on the owner, for example, a listed building has to be maintained in a way appropriate to its character and cannot be altered or demolished without prior approval.

The summaries below are taken from the property evaluation and detail the assessment in relation to the class of listing proposed.

1. 30 Malone Park, Belfast, BT9 6NJ (HB26/18/082)

30 Malone Park is a large detached gentleman’s residence, of two storeys and three bays, built in the late nineteenth century as part of a prestigious avenue development for Belfast’s wealthiest residents, providing a high quality residential environment outside the city. The house is handsomely proportioned, composed on symmetrical plan, with good detailing in gauged brick, relieved by occasional contrasting sandstone and granite. The house retains most original external fabric, including original entrance doors and windows, and interest is enhanced by the rear addition, with its lanterned roof. Located within Malone Park / Adelaide Park Conservation Area, the house is enhanced by retention of its original mature garden setting, well screened from the road, and has group value with other residences on the Avenue.

Proposed NIEA listing – B2

Extent of proposed Listing: – House (currently not listed)

2. 156 – 164 North Street, Belfast, BT1 1LF (HB26/50/317)

This four storey sandstone commercial building on the south side of North Street Probably by Graeme Watt and Tulloch is of local historical interest. It is of impressive scale in the wider setting of North Street, contributing to the short terrace of buildings with reflected roofline and rhythm of bays. Built c.1889 it has a bold symmetry and exuberant stone detailing. The timber bays, with their fine carving, are an unusual feature. Despite the loss of the original historic shopfronts, as well as the addition of a modern escape stair to the rear, sufficient historic fabric remains in the highly ornamented façade and intact plan form to meet the statutory and policy tests as a building of special architectural and historic interest.

Proposed NIEA listing – B2

Extent of proposed Listing: – Office Building (currently not listed)
3. **166 – 174 North Street, Belfast, BT1 1QS (HB26/50/334)**

166 – 174 North Street and 176 Law's Court is a four storey five-bay former commercial building incorporating substantial former warehouses to rear, dated 1899, and prominently located at the west end of North Street. It is a landmark building when viewed from Millfield and Carrick Hill, and is one of three remaining late Victorian buildings surviving in this former historic commercial area, thus providing important historic context. Architecturally, the building is typical of the period, of red brick with good quality terracotta detailing, and symmetrically arranged. The shopfronts contain a blend of materials, and it is likely that additional original fabric remains beneath later boxing. Internally, the building is well appointed to maximise commercial usage, as testified by the range of historical uses and tenants associated with the building, which contribute to the understanding of North Street as once vibrant and fluid commercial area. Of particular interest is the attic floor of the front portion of the building, which served as Belfast’s Municipal School of Art from 1901 to 1907, prior to its relocation to the Belfast Institute of Technology at College Square North. The room is unusually configured within a set of innovatory semi-circular cast-iron trusses without bracing, which are both rare and of technical interest. As the location of the former Art School, as well as a centre of commerce, the building is also of social and cultural interest.

Proposed NIEA listing – **B2**  
Extent of proposed Listing: – **Former art school, offices, warehouse and shops**  
(currently not listed)

**Note:**

Listed buildings in Northern Ireland are divided into four categories:

**Grade A**

Special buildings of national importance including both outstanding grand buildings and the fine, little altered examples of some important style or date.

**Grade B+**

Special buildings that might have merited A status but for relatively minor detracting features such as impurities of design, or lower quality additions or alterations. Also buildings that stand out above the general mass of grade B1 buildings because of exceptional interiors or some other features.

**Grade B1 and B2**

Special buildings of more local importance or good examples of some period of style. Some degree of alteration or imperfection may be acceptable.
Appendix 2: Listed Building Images

1. 30 Malone Park, Belfast, BT9 6NJ (HB26/18/082)
2. 156 – 164 North Street, Belfast, BT1 1LF (HB26/50/317)
3. 166 – 174 North Street, Belfast, BT1 1QS  (HB26/ 50/ 334)
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# Agenda Item 7c

## Subject:
Proposed serving Notice of Article 4 Directions on Adelaide Park and Malone Park Conservation Areas

## Date:
19th September 2016

## Reporting Officer:
Phil Williams ext. 2300

## Contact Officer:
Robert Kennedy, ext. 2294

<table>
<thead>
<tr>
<th>Is this report restricted?</th>
<th>Yes ☐ No ☒</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the decision eligible for Call-in?</td>
<td>Yes ☒ No ☐</td>
</tr>
</tbody>
</table>

## 1.0 Purpose of Report or Summary of main Issues

### 1.1
In June 2015 Committee agreed to authorise the undertaking of a public consultation exercise in order to ascertain the level of support for Article 4 Directions to be issued within Adelaide Park and Malone Park Conservation Areas. The directions will enable the Council to restrict permitted development rights associated with householder development that can currently be undertaken without the need for planning permission.

It was agreed that, should sufficient support be demonstrated for the proposal Article 4 Directions would be issued.

The purpose of this paper is to update members of the outcome of the public consultation which demonstrates that a majority of residents support Article 4 Directions within Adelaide Park and Malone Park Conservation Areas, and to approve serving notice of Article 4 Directions.

## 2.0 Recommendations

### 2.1
The Committee is requested to:
- Approve Serving Notice of Article 4 Directions in Adelaide Park and Malone Park Conservation Areas restricting some of the householder permitted development rights

## 3.0 Main report
Background

3.1 Conservation Areas are designated Under Article 104 of the Planning (NI) Act 2011, as “areas of special architectural or historic interest...the character or appearance of which it is desirable to preserve or enhance”. It is therefore a statutory requirement for the Council to take action to ensure that the character of Conservation Areas is protected.

3.2 Insensitive alterations to buildings within Conservation Areas, even if they appear relatively minor, can individually and cumulatively, have a detrimental impact on the character of both the host building and wider area.

Purpose of Article 4 Direction

3.3 Under the Planning (General Permitted Development) Order (NI) 2015, many such changes would be permitted development. However Article 4 of the same Order enables the Council to bring such changes under planning control. Use of such Directions would bring this practice into use here for the first time; it is widely used in other jurisdictions.

3.4 An Article 4 Direction will represent a minor extension over existing planning control - bringing replacement of existing elements under planning control. Historic elements express the craftsmanship of the era, and possess narrative and aesthetic qualities. They are important individually and collectively to the character of these Conservation Areas. They are important to architectural unity – i.e. inherent to the design / style of properties.

3.5 Where details are required in support of applications photographs of existing and drawings by suppliers and companies carrying out the proposed works such as replacement window frames / doors could suffice, when of sufficient detail, thereby negating the potential cost associated with detailed supporting information.

Overview of Consultation Process

3.6 The use of Article 4 Directions is primarily about protecting and enhancing the built heritage of the area. It is not a statutory requirement to consult; however the Council considered that it was important to ascertain the level of support within the community most affected by the Direction. A survey was carried out to ascertain the level of support for Article 4 Directions. This lasted 4 weeks and ended on 17 July 2016. A previous consultation was carried out in 2016. This Re-consultation was necessary due to an error made in the first consultation over the stated fee arising as a result of an application made due to withdrawal of permitted development rights (this was stated to be no fee – in fact a reduced fee of £64 applies to such applications). The survey was delivered to all residents who live in the Malone Park and Adelaide Park. A summary of the consultation exercise is set out in Appendix 1. These bear out the results of the previous consultation exercise.

- 89% and 72% of respondents supported an Article 4 Direction in Adelaide Park and Malone Park respectively
- 89% and 80% of respondents supported introduction of control over replacing window frames in Adelaide Park and Malone Park respectively
- 89% and 72% of respondents supported introduction of control over...
3.7 replacing window frames in Adelaide Park and Malone Park respectively

Given the majority support for the introduction of Article Directions it is proposed, subject to Committee approval, to serve Notice of Article 4 Directions in both areas covering the following –

- Replacing window frames and doors to front elevations and side elevations
- Painting the exterior of houses
- The creation of porches to external doors
- The erection of gates, fences, walls or other means of enclosure within the curtilage of a property. This would apply anywhere within the curtilage of the property in the case of Adelaide Park and from the front building line of the property to the front boundary in the case of Malone Park
- The creation of hardstandings to front lawns

3.8 Refinement of Previous Consultation

Members may wish to note that 1 – 8 Adelaide Chase and 1 – 33 Belvedere Manor (in Adelaide Park Conservation Area) – later developments of lesser architectural significance will be omitted from the Direction. It has been decided to exercise the control over windows and doors to all side elevations as in the vast majority of cases both side elevations are visible from the public road. It is considered that this stipulation is easier to enforce and will avoid ambiguity. Some felt an Article 4 Direction would be too restrictive and that there was enough control. Some felt security was necessary for properties. Several objections to Malone Park were submitted in respect of properties that were boarded up or derelict. Malone Park Residents Association submitted a written submission in support of the Article 4 Direction.

3.9 Article 4 Directions are considered an essential additional operational tool to support decisions making in achieving the objective of maintaining the character of Conservation Areas where there can be potential for significant change.

3.10 Recommendation

It is recommended therefore that the Council approve the serving of Article 4 Directions as outlined above for the Adelaide Park and Malone Park Conservation Areas. Committee should note that these Directions will require the approval of the Department for Infrastructure prior to final implementation.

4.0 Finance and Resource Implications

4.1 This is a new element of work for the Planning and Place Department and impact of the additional workload will be kept under review in terms of applications etc. Given the number of properties affected – approx 86 in Malone Park, approx 99 in Adelaide Park (including flats) it is not anticipated that a large number of applications will result on an annual basis with no impact on staff resources.

5.0 Equality or Good Relations Implications
| 5.1 | The ongoing work has been developed in line with the Council’s Equality and Goods relations framework and policies |
Appendix 1

A summary of the consultation exercise is set out in the Table below. The total number of respondents were:

- Malone Park – 25
- Adelaide Park – 9

<table>
<thead>
<tr>
<th>Survey Question</th>
<th>Adelaide Park</th>
<th>Malone Park</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you believe Article 4 Directions will help protect the character of the Conservation Area?</td>
<td>89</td>
<td>72</td>
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<tr>
<td>Do you support the introduction of Article 4 Directions?</td>
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<td>72</td>
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<td>Do you support the introduction of planning control over replacing window frames</td>
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<tr>
<td>Of people who supported this the degree of support was as follows -</td>
<td></td>
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<tr>
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<td>Front elevations and all side elevations</td>
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<tr>
<td>Front elevations but only side elevations visible from the public road</td>
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<tr>
<td>Do you support the introduction of replacing doors</td>
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<td>Do you support the introduction of planning control over painting the exterior of dwelling houses?</td>
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<td>52</td>
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<tr>
<td>Should planning permission be required for the construction of porches?</td>
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<td>80</td>
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<td>Do you support the introduction of planning control over the erection of gates, fences, walls or other means of enclosure within the curtilage of a property?</td>
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<td>68</td>
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<td>Of people who supported this the degree of support was as follows -</td>
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<tr>
<td>Front boundary only</td>
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<td>From front building line to front boundary</td>
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<td>Anywhere within the curtilage of the property</td>
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<td>29</td>
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<tr>
<td>Do you support the introduction of planning control over the construction of hardstandings to front gardens within the curtilage of a property</td>
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### Consultation Responses

<table>
<thead>
<tr>
<th>Question</th>
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<th>Negative</th>
<th>Neutral</th>
<th>Positive</th>
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<tr>
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<td></td>
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<tr>
<td>Do you support the introduction of replacing doors</td>
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<td></td>
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<tr>
<td>Do you support the introduction of planning control over replacing window frames</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Do you support the introduction of article 4 Directions</td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Adelaide F
Malone P
Appendix 2

Re-Consultation
(Article 4 Direction)

Adelaide Park Conservation Area

Proposed changes to Permitted Development
**Reasons for this Re-consultation Exercise**

Belfast City Council undertook a public consultation exercise in 2016 to explore amending permitted development rights within Adelaide Park Conservation Area through an Article 4 Direction.

**Fee Update**

Since undertaking this public exercise it has come to light that the reduced fee of £64 applies to applications made as a result of withdrawal of permitted development rights; the original consultation had advised that no fee would apply.

The re-consultation allows several refinements to be carried out to the proposed Article 4 Direction and the public consultation into it.

**Enlarging Window Openings**

In the public consultation exercise carried out in 2016 a question was asked as to whether altering the size of window and door openings should come under planning control. In fact, under Article 105(8) of the Planning Act (NI) 2011, demolishing part of a building requires conservation area consent. As consent would be required for the demolition associated with enlarging existing window and door openings, in effect planning control can be exercised over this alteration. This question has therefore been omitted.

A specific question has been asked now on removal of front garden areas; this was omitted in the previous public consultation exercise.

**Omission of Later Developments**

In addition it has been decided to remove the following addresses from the public consultation –

1 – 8 Adelaide Chase; and
1 – 33 Belvedere Manor

It is considered that these developments are of lesser significance in terms of architectural merit / contribution to the character and appearance of the Conservation Area, and therefore replacing windows and doors to these developments would not have the same impact on the character and appearance / architectural or historic interest of the Conservation Area as they are non historic elements. It is considered it would not be reasonable to request applications where these changes are proposed to these properties.
Walls, Fences and Other Means of Enclosure

Further the opportunity has been taken to ask an additional question about the erection of fences.
Proposed changes to permitted development – Adelaide Park Conservation Area

Belfast City Council recognises it’s rich and varied built heritage and is keen to protect it.

Historic areas have evolved over many years and the combination of historic buildings and landscaping elements has created aesthetically pleasing environments. However the character of these areas may be eroded by alterations, individually and cumulatively – even if they are small in scale.

We take our responsibility for heritage protection seriously and are considering using our powers to remove some specific and limited permitted development rights. This is done by introducing an Article 4 Direction.

Under planning legislation – The Planning (General Permitted Development) Order (Northern Ireland) 2015 householders have certain rights to alter and extend properties without the need to apply for planning permission. These are known as permitted development rights.

The vast majority of permitted development rights will remain unaffected by the proposed change; however, if these permitted development rights are removed, anyone wanting to, for example, change windows, doors and create hard surfacing to front gardens would need to apply for planning permission. A reduced fee of £64 would apply to such applications.

We will only consider bringing these changes to permitted development rights (through an Article 4 Direction) where there is evidence of support for this change. We are currently consulting on proposals to change the permitted development rights for Adelaide Park Conservation Area and we want feedback from residents about this. The remainder of this document explains what the changes are, and what they will mean for households in the area.

If you would like to make a representation on this consultation, please do so by 4pm on 2017.

You can make your representation in two ways:

1. In writing to: Article 4 Consultation, The Planning Service, Belfast City Council, Cecil Ward Building, 4-10 Linenhall Street, Belfast, BT2 8BP.

2. Online at www.belfastcity.gov.uk/consultations
Conservation areas

Conservation areas are defined as areas of special architectural or historic interest. Built heritage designations such as conservation areas provide the city with a strong sense of place, they suggest continuity and stability, provide aesthetically pleasing quality environments, contribute to a high quality of life and thus stimulate economic activity, investment and tourism. The buildings within them contribute to maintenance of craftsman ship skills and sustainability. They contribute to the visual environment, sense of community and civic pride throughout the city.

Adelaide Park Conservation Area was designated in 1993. It’s character derives from large, architect designed, individual dwellings from the Victorian, Edwardian and Interwar periods, set in large, maturely landscaped, plots. These address a broad, tree-lined thoroughfare between the Malone Road and Lisburn Road. The dwellings reflect the architectural influences of the period – the neoclassical revivals, the Arts and Crafts movement and façade modulation through bay windows and embellishment in the form of string coursing and terracotta panels typical.

Example: Building elements such as window frames allow dating of buildings

We have a statutory duty to undertake actions that “preserve or enhance” these conservation areas.
What are permitted development rights?

Households have what are known as permitted development rights. For example, alterations and extensions to certain size or height limits can be made to properties without the need for planning permission.

The vast majority of these will remain unaffected.

To protect the special character of conservation areas, certain permitted development rights available to dwelling houses outside Conservation Areas, are already curtailed, namely:

- consent is needed to demolish buildings and parts of buildings or gates, walls and fences over one metre in height adjacent to a road and two metres when not;
- alterations to roofs are not permitted;
- side extensions are not permitted;
- exterior cladding or rendering is not permitted;
- the extension cannot be more than one storey or four metres in height; and
- satellite dishes are not permitted if visible from a road.

Works to trees, such as felling, pruning, crown thinning and raising also require the written consent of the council.

However a lot of changes and alterations can still be undertaken without requiring planning permission.

Example: How building elements contribute to architectural composition.
What is proposed?

We are proposing that, to further protect the unique and special character and appearance of Adelaide Park Conservation Area, limited additional protection be provided through use of Article 4 Directions. This would mean that planning permission would be needed for the following works:

- Replacing window frames;
- Replacing doors; and
- Creation of hardstandings (hard surfacing in tarmac or pavers to fronts of dwellings replacing lawns).

We also want to find out if there would be support to bring the painting of exteriors of dwellings, erection of porches and erection of fences under planning control. If there was evidence of support, we would consider extending the Article 4 Direction to cover these works.

This does not mean that the windows and doors cannot be changed or hardstandings cannot be created, but just that these changes can be managed through the need to apply for planning permission. A reduced fee of £64 applies for planning applications that arise as a result of an Article 4 Direction being in place.
Why are these changes proposed?

Insensitive alterations to buildings within conservation areas - such as removal of front boundaries, enlarging historic window proportions to create picture windows, loss of historic timber window frames and doors, and so on - can have a detrimental impact (individually and cumulatively) on the character of both the host building and wider area.

Loss of aesthetic and narrative quality can have a detrimental impact on conservation areas: Left picture is a historic threshold and right is a modern one.

Windows and doors are important period elements reflecting the craftsmanship of the era of the properties construction. The form of the window and door contributes to the narrative quality of the dwelling in that they allow us to read the date the period the building was constructed in. Often these elements reflect the stylistic influences on and intent of the designer; to remove them detracts from the visual and architectural unity of the property.
Examples of replacement of original doors and windows:
Replacement of original panelled door (left) with poor quality replacement (right)

Replacement of original timber sliding sash (left) with poor quality replacement (right).
Loss of mature front garden areas and landscaping – complementary to and forming the setting of the dwelling – detracts from the aesthetic quality and value of both the property and area.

What will this mean for me?

If as a result of this consultation exercise, householders support the proposal, and an Article 4 Direction is confirmed, it would mean that some changes that do not currently need planning permission would need it in the future.

Anyone wanting to make changes to a property in an area where permitted development rights had been removed would need to submit a Planning Application Form and drawings providing details on proposed changes. Council proposes that, where sufficient, photographs of the existing and commercial company drawings of window frames / doors would be acceptable.

If you have any queries on the above do not hesitate to contact our Planning Service by emailing planning@belfastcity.gov.uk or by calling 0300 200 7830.

Staff will be available on the following days / times to facilitate any person wishing to speak to a member of staff in person:
Monday – Friday – 9 AM – 5 PM
Adelaide Park
Conservation Area Reconsultation

Proposed changes to permitted development

Before we consider introducing these additional controls we are keen to get the views of residents to gauge the level of support for introduction of an Article 4 Direction.

Please complete this questionnaire and return, or respond online by Monday 05 June 2017 at 5pm.

You can complete this questionnaire anonymously if you wish, but if you give us your details we can keep you informed as the consultation progresses.

Section 1: Your details (optional)
1.1 Name: 

1.2 Address: 

1.3 Postcode 

1.4 Contact telephone number: 

1.5 Email address: 
Section 2: General
2.1 Do you believe that the introduction of Article 4 Directions will help protect the special character and appearance of Adelaide Park Conservation Area?
   Yes □
   No □

2.2 Do you support the introduction of Article 4 Directions within Adelaide Park Conservation Area?
   Yes □ If yes, please go to question 3.1
   No □ If no, please tell us why:
   [Blank space for text input]
Section 3: Planning controls
The introduction Article 4 Directions mean that additional planning control measures can be introduced. In this section we want your feedback on specific control options that council is considering applying as part of Article 4.

3.1 Do you support the introduction of planning control over replacing window frames?
   Yes ☐ If yes, please go to question 3.1b
   No ☐ If no, please tell us why:

3.1b Should control be restricted to:
   Front elevations only ☐
   Front elevations and all side elevations ☐
   Front elevations but only side elevations that are visible from the public road ☐

3.2 Do you support the introduction of planning control over replacing doors?
   Yes ☐ If yes, please go to question 3.2b
   No ☐ If no, please tell us why:

3.2b Should control be restricted to:
   Front elevations only ☐
   Front elevations and all side elevations ☐
   Front elevations but only side elevations that are visible from the public road ☐
3.3 Do you support the introduction of planning control over painting the exterior of dwelling houses?

Yes  
No  

If no, please tell us why:

3.4 Should planning permission be required for the construction of porches outside any external door to the property?

Yes  
No  

If no, please tell us why:

3.5 Do you support the introduction of planning control over the erection of gates, fences, walls or other means of enclosure within the curtilage of a property?

Yes  
No  

If yes, please go to question 3.5b

If no, please tell us why:

3.5b Should this control be restricted to:
Front boundary only

From the front building line of the property to the front boundary of the site

Anywhere within the curtilage of the property

3.6 Do you support the introduction of planning control over the construction of hardstandings to front gardens areas within the curtilage of a property?

Yes

No

If no, please tell us why:

[Blank space for answer]
Section 4: Equality implications

4.1 Do you believe this change would impact on equality of opportunity for persons of Section 75 groups?

   I. persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation
   II. men and women generally
   III. persons with a disability and persons without
   IV. persons with dependants and persons without.

   Yes [ ] If yes please state the reasons why.
   No [ ]

4.2 Please use this space for any additional comments:
### Development Management Officer Report
#### Committee Application

| Summary |
|------------------|------------------|
| **Committee Meeting Date:** 19 September | **Item Number:** |
| **Application ID:** LA04/2016/0400/F | **Location:** Lands at 230 Belmont Road 
Belfast 
BT4 2AW |
| **Proposal:** Proposed apartment development (28 units) with associated car parking, landscaping and amendments to existing access (renewal of approved application Z/2008/2449/F) | **Referral Route:** The application is for more than 12 residential units |
| **Recommendation:** Approve - Subject to Conditions | |
| **Applicant Name and Address:** Barnardo’s  
111 Oxgangs Road North 
Edinburgh 
EH14 1ED | **Agent Name and Address:** Clyde Shanks Ltd  
5 Oxford Street 
Belfast 
BT1 3LA |

### ADDENDUM REPORT

This full application was previously listed for Planning Committee on 15 August 2017. The application was presented and subsequently deferred for a site visit by Committee.

During discussion of the application, the Committee raised issues regarding access, car parking and the replacement of trees. Given the issues which had been raised regarding the traffic and impact on the trees, the Committee agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposal at first hand. The Committee also agreed that the Council’s Tree Officer be invited to attend the site visit and Transport NI be asked for clarification on their position and attend the next Planning Committee, if possible.

Members should read this Addendum Report in conjunction with the original full detailed planning report attached below.

A site visit for elected members took place on 31st August 2017.

Belfast City Council’s Tree Officer and a representative from DfI Roads also attended the site visit.

**Tree Issues**

Lack of management and maintenance of the trees within the site has resulted in a deterioration of the health and condition of the trees

The proposed application if approved would result in:

- 8 trees to be felled due to the current condition (4 x of which are protected through
a TPO);
- 19 further trees to be felled to facilitate development (12 x of which are protected under TPO; including 3 x Cherry (relatively short life span and if unmanaged are prone to infection) and 2 x Cypress (which can lead to problems in developed areas and could fall under the High Hedges legislation);
- 37 x trees of a mixed species would be replanted ranging from extra heavy standard to semi mature in size;

In general terms the existing trees which are to be retained, coupled with the new planting are likely to ensure the safe continuance of tree cover on the site for the future.

Road Issues

- The average 7 day traffic count for the Belmont Road would indicate approximately 11500No. vehicles passing daily.

  The proposed development would add approximately 100No. trips daily.

- Between the peak hours of 08:00-09:00 and 17:00-18:00 approximately 1100No. vehicles pass during each period.

- The proposed development would add approximately 10No. trips during each peak hour period.

It is proposed that the development is served by an access of width 4.9m with visibility splays of 2.4m x 90.0m and an internal carriageway of width 4.8m with a separate footway of width 2.0m (with occasional narrowing to accommodate the retention of trees). This is considered to be acceptable to the Department for Infrastructure – Roads.

Summary

- The site visit by members has taken place.

In conclusion the recommendation remains as set out in the case officer’s report and this addendum. The proposal is recommended for Approval subject to conditions.
Committee Meeting Date: 15 August 2017

Proposal
Proposed apartment development (28 units) with associated car parking, landscaping and amendments to existing access (renewal of approved application Z/2008/2449/F)

Location
Lands at 230 Belmont Road
Belfast
BT4 2AW

Referral Route:
The application is for more than 12 residential units.

Recommendation:
Approval

Applicant Name and Address:
Barnardo’s
111 Oxfangs Road North
Edinburgh
EH14 1ED

Agent Name and Address:
Clyde Shanks Ltd
5 Oxford Street
Belfast
BT1 3LA

Executive Summary:
The application seeks an apartment development (28 units) with associated car parking, landscaping and amendments to existing access (renewal of approved application Z/2008/2449/F).

The main issues to be considered in this case are:
- Planning history
- EIA Determination
- Drainage
- Demolition of the existing property
- Provision of a quality residential environment by way of density, layout, amenity, and the likelihood of dominance and overlooking
- Space Standards
- Access and Parking
- LLPA and protection of TPO Trees
- Landscaping
- Other objections raised

The application site is not located within an ATC or Conservation Area. Belmont Park Local Landscape Policy Area BT 093 extends to include the site.

The proposal has been assessed against the SPPS, Planning Policy Statement 2, 3, 7, 7 (Addendum), 12, and supplementary planning guidance –Creating Places, Parking Standards, DCAN 8 and 15.

This site was granted planning permission (Z/2008/2449/F) in 2011 for an apartment development of twenty eight units with associated car parking, landscaping and amendments to the existing access. This planning application is an in time renewal for the previous planning permission.

There were four representations objecting to this planning application with the following concerns:
- Traffic intensification
- Development conflicting with TPO site
- Loss of open space
- Adverse impact on existing properties
- Failure to respect the environmental quality of the site
- Over development of the site
- 220 A, B, C, D and E not located on drawings
- What are the boundary treatments?
- What trees are being retained?

Having regard to the policy context, previous planning history, representations and other material considerations above, the proposal is deemed to be acceptable and planning permission is recommended for approval, subject to conditions as set out in the case officer’s report.

It is recommended that delegated authority is given to the Director of Planning and Place to approve the application with conditions with the final framing and wording of conditions to be delegated.
Consultations:

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<tr>
<th>Consultation Type</th>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory</td>
<td>Rivers Agency</td>
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<tr>
<td>Statutory</td>
<td>NI Water</td>
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<td>Non Statutory</td>
<td>Belfast City Council</td>
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<td>Statutory</td>
<td>Transport NI</td>
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<td>NIEA Water Management Unit</td>
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<td>NIEA Natural Environment Division</td>
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</tr>
<tr>
<td>Statutory</td>
<td>NIEA Historic Monuments Unit</td>
<td>No objection</td>
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<tr>
<td>Non Statutory</td>
<td>Belfast City Council and Neighbourhood Department (Waste Storage)</td>
<td>No objection</td>
</tr>
<tr>
<td>Non Statutory</td>
<td>Belfast City Council Tree Officer</td>
<td>No objection</td>
</tr>
</tbody>
</table>

Representations:

- Letters of Support: None Received
- Letters of Objection: 4
- Number of Petitions of Objection and signatures: No Petitions Received
- Representations from Elected representatives: None Received

Characteristics of the Site and Area

### 1.0 Description of Proposed Development

The proposal is for an apartment development (28 units) with associated car parking, landscaping and amendments to existing access (renewal of approved application Z/2008/2449/F).

### 2.0 Description of Site and Area

#### 2.1 The site at 230 Belmont Road is set back about 60 metres from the main road by a tree lined driveway. To the south and west are residential properties on the Belmont Road and Pembridge Court. There is vacant, former residence (now neglected) on the site which is Victorian in style – two storey double canted bay windows dating from the later part of the 19th century. Immediately adjacent to it are three red brick buildings that are utilised by Barnardo’s (an early year centre, and administration building and a residential building). To the north of the site is Belmont Park and to the east, adjacent to the entrance driveway, is Belmont Business Park (offices). No. 230 Belmont Road has extensive grounds with mature trees and vegetation. Part of the former gardens between the house and the rear boundary of 220-228 Belmont Road is used as a car park. Belmont Park Local Landscape Policy Area extends to cover the entire site.

Planning Assessment of Policy and other Material Considerations

### 3.0 Site History

#### 3.1 Planning permission (Z/2008/2449/F) was granted on 18th February 2011 for an apartment development of twenty eight units with associated car parking, landscaping and amendments to the existing access on the same site. This permission expired on 18th February 2016 and the current application was submitted on 16th February 2016 as an 'in-time’ renewal of the previous planning permission.

#### 3.2 In 2002 approval was granted for a new office building for Barnardo’s Under 12’s
(Z/2002/1632/F), and in 2004 planning permission (Z/2003/1833/F) was approved for the erection of a two storey office building (for support team).

3.3 In 2006 car parking within the site was granted planning permission (Z/2006/0314/F).

4.0 Policy Framework

- Belfast Urban Area Plan 2001 (BUAP)
- Draft Belfast Metropolitan Area Plan 2015, site is located within the development limits of Belfast (Designation BT 001). The relevant policy is SETT 2, Development within the Metropolitan Development Limit and the Settlement Development Limits
- Belmont Park LLPA (BT 111) – Belmont Park
- Strategic Planning Policy Statement for Northern Ireland (SPPS)
- Planning Policy Statement 2 – Natural Heritage
- Planning Policy Statement 3 – Access, Movement and Parking
- Planning Policy Statement 7 – Quality Residential Environments
- Planning Policy Statement 7 (Addendum) – Safeguarding the Character of Established Residential Areas
- Planning Policy Statement 12 – Housing in Settlements
- Development Control Advice Note 8 – Housing in Existing Urban Areas
- Development Control Advice Note 15 – Vehicular Access Standards
- Supplementary Planning Guidance - Parking Standards
- Supplementary Planning Guidance – Creating Places

5.0 Statutory Consultee Responses

- Rivers Agency – No objection subject to informatives
- Transport NI – No objection subject to conditions and informatives
- NI Water – No objection subject to informatives
- NIEA Historic Monuments – No objection
- NIEA Water Management Unit – No objection subject to informatives
- NIEA Natural Environment Division – No objection subject to informatives

6.0 Non Statutory Consultee Responses

- Belfast City Council Environmental Health – No objection subject to informatives
- Belfast City Council City and Neighbourhood Department (Waste Storage) – No objection
- Belfast City Council Tree Officer – No objection subject to conditions

7.0 Representations

7.1 The planning application was advertised in the local press and neighbours notified. There were four representations objecting to this planning application with the following concerns:

- Traffic intensification
- Development conflicting with a Tree Preservation Order (TPO) on the site
- Loss of open space
- Adverse impact on existing properties
- Failure to respect the environmental quality of the site
- Over development of the site
- Unclear boundary treatments
### 8.0 Other Material Considerations

- Unclear what trees are being retained

### 9.0 Assessment

#### 9.1 Status of BMAP

9.1.1 The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18 May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area.

9.1.2 Section 45 (1) of the Planning Act (NI) 2011 requires regard to be had to the Development Plan, so far as material to the application and to any other material considerations. Section 6 (4) states that where regard is to be had to the Development Plan, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.

As the decision to adopt BMAP has been quashed in its entirety, it is as though the draft BMAP has never been adopted, however, the version of draft BMAP which was purported to be adopted remains a material consideration.

9.1.3 The site is not subject to any designations in the BUAP 2001. Within Draft BMAP the proposed development site is located within the settlement development limits of Belfast, but is not located within an ATC or Conservation Area. Belmont Park Local Landscape Policy Area BT 093 extends to include the site.

9.1.4 An objection to the Draft BMAP argued that 230 Belmont Road (Barnardo’s) should be excluded from the LLPA. The PAC concurred with the Department that the approved development which took into account the proposed LLPA designation, would appear to have been undertaken without significant detriment to the sites character. The PAC also agreed that this demonstrates how built development and LLPA designations are not necessarily mutually exclusive. The PAC disagreed with the objector that the site lacks features that warrant an LLPA designation. As such the PAC did not accept that the designation would serve to introduce uncertainty in respect of future development.

9.1.5 PAC Recommendation: Lands to be retained within the LLPA BT 111.

#### 9.2 Key Issues

- Planning history
- EIA Determination
- Drainage
- Demolition of the existing property
- Provision of a quality residential environment by way of density, layout, amenity, and the likelihood of dominance and overlooking
- Space Standards
- Access and Parking
- LLPA and protection of TPO Trees
- Landscaping
- Other objections raised

### 9.3 Strategic Planning Policy Statement for Northern Ireland

**9.3.1** Planning authorities are guided by the principle that sustainable development should be permitted, having regard to the local development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

### 9.4 Planning History

**9.4.1** As detailed in Section 3 this planning application is an in time renewal of Z/2008/2449/F which is now expired.

### 9.5 EIA

**9.5.1** The proposed development falls within Category 10 (b) (Urban Development Project) – the area of development exceeds 0.5ha) of Schedule 2 of the Planning (Environment Impact Assessment) Regulations (Northern Ireland) 2015. It was determined that an EIA is not required as the scheme has been previously approved and is unlikely to have any significant environmental impacts. Any issues will be dealt with through the development management process.

### 9.6 Drainage

**9.6.1** In accordance with PPS 15, Policy FLD 3, a drainage assessment was submitted as the proposed development is for more than ten dwelling units. After reviewing the drainage assessment, Rivers Agency have no objections from a drainage or flood risk perspective.

### 9.7 Demolition

**9.7.1** The existing building is not located within an Area of Townscape Character or a Conservation Area. The building has architectural merit as a Victorian period construction, however it is not listed (confirmed by Historic Environment Division) or subject to any protection from demolition (the building could be demolished at any time). The previous planning approval on the site also included the demolition of the property and this is a relevant material consideration.

### 9.8 Scale and Mass

PPS 7 Policy QD 1 (a) states that new development must respect the surrounding context by way of scale and mass. The site is in excess of 0.5ha and a proposed apartment block as proposed would not be out of keeping in terms of its scale and mass. The existing buildings adjacent to 230 Belmont Road are an early years centre, administration building and residential unit associated with Barnardo’s. A separation distance in excess of fifteen metres is proposed between the apartment block and the boundaries with adjacent residential properties. The proposal is considered to be in accordance with PPS 7 Addendum Policy LC1 (b) the pattern of development within the established residential area. Although this
area of the Belmont Road was historically defined by large residential villas set within significant sized plots with front and rear gardens, in recent times, redevelopment has caused many of these historical plots to be developed at a higher density with less private amenity space. Fronting the Belmont Road, adjacent to 220 Belmont Road, a three storey apartment block has been developed. It is considered that the principle of apartment development has been established. The proposed development of three storeys with a fourth (lower ground) is considered acceptable due to the topography of the site at the southern elevation, and it is set well back from the Belmont Road frontage, with mature trees screening the site. The northern elevation steps down to two storeys in the vicinity of the Barnardo’s Early Years Centre, and the residential properties at Pembridge Court. The previous planning history at 230 Belmont Road has established the principle of this development.

9.9 Density
Policy LC1 (a) of PPS 7 Addendum states that the proposed density should not be significantly higher than the established residential area. Letters of objection raised concerns regarding the over development of the site. It is accepted that higher density properties are now common place in the immediate vicinity of 230 Belmont Road, and the previous planning history on the site has accepted the principle of apartment development.

9.10 Space Standards
The proposed apartments are two bedroom/four person accommodation. Policy LC1 (c) of PPS 7 Addendum states that all dwelling units must be built to the space standards detailed in Annex A. The proposed apartments at 70sqm comply with this policy.

9.11 Amenity
PPS 7 (c) stipulates that there should be a provision for private amenity space in proposed developments. Creating Places stipulates that for apartment developments private communal open space will be acceptable. The proposed development provides an acceptable amount of communal open space and private balconies.

9.12 Waste Storage
Belfast City Council City and Neighbourhood Department have stated the amount of waste storage proposed with the development is acceptable. The waste collection areas are enclosed and to be surrounded by landscaping.

9.13 Boundary Treatment
DCAN 8 states that boundary treatments can have an important influence on local character, and should be retained where possible, in order to protect the surrounding street character. Well-designed walls or railings, and planting, can be used to mitigate the detrimental visual impact of cars and dustbins. The proposed boundaries of the site are to be retained with extra landscaping to be introduced.
9.14 Parking and Access

Access to the proposed apartment block will be via a laneway from the Belmont Road. This will be a shared access with the future residents of the apartments and the existing Barnardo's staff and visitors. Forty in-curtilage parking are proposed with the development. Creating places stipulates 1.5 parking spaces for two-bed apartments with unassigned parking provision. As such this is a shortfall of two parking spaces. In adherence to PPS 3 Policy AMP 7 (Car Parking and Servicing Arrangements) the development is in a highly accessible location well served by public transport. Transport NI stated that considering that the planning application is the same as that previously approved (Z/2008/2449/F), and given that there has been no change in transportation policy in the period since the previous permission was granted, they offer no objections to the proposal. In assessing the development application Transport NI has considered the road related issues detailed within letters of representation. The proposal also includes cycle stand provision in adherence with PPS 7 Policy QD1.

9.15 Ecology

Objection letters stated that there had been a failure to respect the environmental quality of this site. Natural Environment Division has considered the impacts of the proposal on natural heritage interests and, on the basis of the Ecological Assessment, is content with the proposal. The assessment indicates that there were no signs of badger activity on sites and that the impacts on foraging and commuting bats were assessed as low. As such the considerations of PPS 2 – Natural Heritage have been assessed.

9.16 Trees and Landscaping

230 Belmont Road is part of the Belmont Park Local Landscape Policy Area (BT 093). It includes mature deciduous trees as one of the features that contributes to the environmental quality. The site is covered by a Tree Preservation Order (TPO/2009/0007). PPS 2 Policy NH 5 states that other natural heritage features such as trees worthy of protection need to be considered for local biodiversity reasons. Belfast City Council's Tree Officer stated that there will be some tree loss (19 trees) to locate the new building and car parking, however the replanting scheme (40 new trees) which has been submitted should compensate for this. Seven trees have also been identified for felling because of their condition, but again the replanting should compensate for the removal of these. Although the proposed development provides for a large building on the site, the proposed layout has been designed to ensure that the majority of the existing trees are retained.

9.17 Overlooking

PPS 7 Policy QD1 (h) states that the proposed development should not create conflict with adjacent land uses. The proximity between the proposed apartment block and the boundary with 220-228 Belmont Road is between 18m and 20m. The windows proposed on the elevation closest to properties at Pembridge Court are WC/En-Suite therefore they will be opaque glazed. As such the relationship with neighbouring residential properties is considered acceptable due to the separation distances. No balconies are proposed on the northern elevation adjacent to the Barnardo's Early Years Centre.

9.18 Dominance/Overshadowing and Loss of Light
PPS 7 Policy QD1 (h) states that the proposed development should not create conflict with adjacent land uses. The northern elevation steps down to two storeys in the vicinity of the Barnardo's Early Years Centre, and the residential properties at Pembridge Court. The apartment block has an acceptable separation distance from the surrounding residential properties.

## 9.19 Other Objections Raised

Loss of Open Space – The land included within the red line of this planning application is not defined as existing open space in BMAP.

## 10.0 Conclusion

This site was granted planning permission (Z/2008/2449/F) in 2011 for an apartment development of twenty eight units with associated car parking, landscaping and amendments to the existing access. This planning application is an in time renewal for the previous planning permission (previous approval and current are the same). It is considered that the previous planning approval carries significant weight. The site is not subject to an Area of Townscape Character or Conservation Area designation and the existing building is not listed or proposed for listing and therefore demolition of the existing property is considered acceptable. As the site is not visible from the Belmont Road and the proposed development will not have an adverse impact on neighbouring properties it is considered to be acceptable. Having regards to the policy context above and the statutory/non-statutory consultation responses the proposal is considered acceptable, and planning permission is recommended for approval with conditions.

## 11.0 Summary of Recommendation

Approval

## 12.0 Conditions

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

   Reason: Time Limit

2. The construction of the apartments hereby permitted, including the clearing of topsoil, shall not commence until all of the existing buildings within the red line as shown on approved drawing 01, date stamped 16 February 2016, are demolished, and all rubble and foundations have been removed.

   Reason: To preserve the amenity of the site.

3. The materials to be used in the construction of the external surfaces of the apartments hereby permitted, shall be as stipulated on drawings 09, 11, and 12, date stamped 16 February 2016, and drawings 10A and 13A, date stamped 15 June 2017.

   Reason: In the interest of visual amenity.

4. Prior to occupation all boundary treatments shall be completed in accordance with the
approved drawing 19B, date stamped 29 June 2017, and permanently retained thereafter.

Reason: To safeguard the privacy and amenity for prospective and adjacent residents.

5. The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with approved drawing 20A, date stamped 15 June 2017, prior to the occupation of any other works or other development hereby permitted.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

6. The access gradient shall not exceed 4% (1 in 25) over the first 10.0m outside the road boundary. Where the vehicular access crosses a footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

7. The development hereby permitted shall not be occupied until hard surfaced areas have been constructed and permanently marked in accordance with approved drawing 20A date stamped 15 June 2017 to provide for parking, servicing and traffic circulation within the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.

Reason: To ensure adequate provision has been made for parking, servicing and traffic circulation within the site.

8. The development hereby permitted shall not be occupied until cycle parking facilities have been provided in accordance with approved drawing 20A, date stamped 15 June 2017.

Reason: To promote the use of alternative modes of transport in accordance with sustainable transportation principles.

9. No development shall take place until detailed proposals for disposal of storm water and foul sewage have been submitted to, and approved in writing by Northern Ireland Water and verified by Belfast City Council. The dwellings shall not be occupied until the approved arrangements are in place.

Reason: To ensure the provision of the necessary infrastructure to service the development.

10. No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 ‘Trees in relation to design, demolition and construction’ 2012 section 6.2 (or equivalent British Standard current at time of works). Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.

Reason: To ensure that adequate protection measures are put in place around trees
prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

11. Any excavation within tree protection areas shall be carried out using non-mechanised hand tools only. All roots that are uncovered during excavation in preparation for laying foundations etc., which are in excess of 2.5cm in diameter shall be retained and shall be treated in accordance with BS 3998, 2010 Recommendations for Tree Work [or appropriate British Standard current at time of works] and foundations bridged around them. Any tree roots exposed, which are in excess of 5cm in diameter, shall be surrounded in sharp sand before replacing soil or other material in the vicinity.

Reason: To respect the topography of the site and to ensure the protection of existing landscape features.

12. The developer shall inform Belfast City Council on completing the installation of all tree protection measures so that the Council, or their representative, may inspect such measures before allowing development to commence. Development shall not commence until these measures have been agreed by Belfast City Council in writing.

Reason: To ensure that adequate protection measures are put in place around TPO trees prior to the commencement of development to ensure that the trees to be retained are not damaged or otherwise adversely affected by building operations and soil compaction.

13. Trees and boundary vegetation to be retained within the site and proposed planting as indicated on approved drawings 18B and 19B, date stamped 29 June 2017, shall not be cut down, uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of Belfast City Council. All / Any arboricultural work shall be carried out in accordance with the approved details, BS 3998, 2010 ‘Recommendations for Tree Work’ (or equivalent British Standard current at time of works).

Reason: To ensure the continuity of amenity afforded by existing trees.

14. The landscape management and maintenance plan, date stamped 11 October 2016, shall be carried out as approved and reviewed at years 5, 10 and 15 and any further changes agreed with Belfast City Council in writing.

Reason: To ensure the sustainability of the tree cover on the site through the successful long term proactive maintenance.

15. Hard surfaces close to trees shall be laid in accordance with BS 5837 Trees in Relation to Construction: part 11: Hard surfaces around existing trees.

Reason: To protect trees to be retained.

16. No development shall take place until a plan detailing all services (including those for water supply, drainage, heating, and gas supplies) has been submitted to, and approved in writing by Belfast City Council. All services shall be laid underground or housed internally within the buildings hereby approved. Underground services shall be designed so that they do not pass through any root protection areas of any trees.
16. All hard and soft landscape works shall be completed in accordance with the approved drawing 19B, date stamped 29 June 2017, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to the expiration of the first planting season following occupation of any part of the development hereby permitted.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

17. All hard and soft landscape works shall be completed in accordance with the approved drawing 19B, date stamped 29 June 2017, the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to the expiration of the first planting season following occupation of any part of the development hereby permitted.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

18. All plant stock supplied shall comply with the requirements of British Standard 3936, ‘Specification for Nursery Stock’. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 ‘Code of Practice for General Landscape Operations [excluding hard surfaces]’.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

19. Should any proposed tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of Belfast City Council seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Department gives its written consent to any request for variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

20. Prior to occupation of the apartments, all windows shown as obscure glazing on drawings 10A and 13A, date stamped 15 June 2017, shall be constructed as such and permanently retained.

Reasons: In the interests of privacy for prospective and neighbouring residents.

21. Prior to occupation of the apartments, hereby approved, the waste storage areas shall be constructed in accordance with approved drawings 03A and 23, date stamped 15 June 2017, and permanently retained thereafter, and landscaped in accordance with approved drawing 19B, date stamped 29 June 2017, prior to the expiration of the first planting season following occupation of any part of the development hereby permitted.

Reason: To ensure an acceptable waste storage provision.

12.0 Notification to Department (if relevant)
N/A

13.0 Representation from elected member:
Councillor Jim Rodgers
## ANNEX

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<td>18 March 2016</td>
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**Details of Neighbour Notification** (all addresses)
- 19 Pembridge Court, Strandtown, Belfast, Down, BT4 2RW,
- 20 Pembridge Court, Strandtown, Belfast, Down, BT4 2RW,
- 207, Belmont Road, Belfast, Down, Northern Ireland, BT4 2AG
- 21 - 22 Pembridge Court, Strandtown, Belfast, Down, BT4 2RW,
- 220 – 232 Belmont Road, Strandtown, Belfast, Down, BT4 2AW,
- Apartment 1 – 10, Altona Place, 218A & 218B Belmont Road, Strandtown, Belfast, Down, BT4 2AT,
- Cherith Brook, 220 A Belmont Road, Belfast
- Cherith Brook, 220 B Belmont Road, Belfast
- Cherith Brook, 220 C Belmont Road, Belfast
- Cherith Brook, 220 D Belmont Road, Belfast
- Cherith Brook, 220 E Belmont Road, Belfast
- Pembridge House, 240 Belmont Road, Strandtown, Belfast, Down, BT4 2AW,
- Unit 1 – 8, 232-240, Belmont Road, Ballycloghan, Belfast, Down, BT4 2AW

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Deferred Consideration Addendum Report

Summary

Case Officer: Richard Taylor

Application ID: LA04/2015/0670/F

Proposal:
Residential development of 53 No. units comprising 33 No. detached, 4 No. semi detached, and 16 No. apartments with associated car parking and landscaping (revised description and proposal)

Location:
Lands at Castlehill Manor Castlehill Road Belfast

Applicant Name and Address:
Kilmona Holdings Ltd
Adelaide House
Falcon Road
Belfast
BT12 6SJ

Agent name and Address:
Coogan & Co Architects Ltd
144 Upper Lisburn Road
Finaghy
Belfast
BT10 0BG

Recommendation:
APPROVAL (no change of opinion)

Deferred Consideration:

This application was originally presented to Belfast City Council Planning Committee on 15th August 2017 with a recommendation to approve and was deferred for a site visit. The Committee agreed to undertake a site visit to allow Members to acquaint themselves with the locality and the proposal. The site visit took place on Thursday 31st August.

The planning report detailing the assessment of the application was published for the Committee meeting 15th August remains applicable, and should be read in conjunction with this addendum report.

Since publication of the original planning report, an additional 11 letters of objection have been received. The majority of issues have been raised previously and considered in the Development Management Report. Additional issues raised include the following:

a) Environmental Impact Assessment should be carried out;
b) Location of external bin storage area for apartments – potential disturbance and loss of property value;

In response to each issue is as follows;

a) The application was scoped for Environmental Impact Assessment in accordance with the Regulations following receipt of the application. It was considered that the scale and impacts of the application are not likely to be significant. Consultation has been undertaken with Environmental Health, TNI, Rivers Agency, and Natural Heritage, all of which have no objections to the proposal, or its impacts, in relation to noise, air, dust, light pollution, or contamination, and associated issues, traffic, flooding and drainage, and impacts on
protected species.

b) The apartment bin store is located approximately 16m from the boundary of the nearest existing dwelling, and approximately 27m from the nearest elevation. The bin store comprises an enclosure, with screen planting around. Accordingly, there will be limited visual impact from public viewpoints, and there will be limited impact on amenity due to the separation distances available to existing properties. Environmental Health have no objections regarding noise or associated disturbance from the proposed bin store. Loss of property value is not a matter of public interest and accordingly is not a planning consideration, and no evidence has been presented to demonstrate any impact to property values.

Further Information/Consideration of Subsidence / Structural issues associated with access Road and traffic:

As indicated within the previous planning report, issues relating to subsidence of the Castlehill Manor road and any development on the site are geotechnical and structural matters controlled by legislation outside of the Planning Legislative framework. It will therefore be a matter for the developer and relevant regulatory authorities to design and install appropriate geotechnical and structural solutions for the site.

Further to the Planning Report assessment, TNI have advised that a refurbishment and repair scheme for the Castlehill Manor road has been approved. However, it was decided that any large scale remedial works would be put on hold until after the proposal was constructed, in order that such remedial works were not undermined by the increased use of the carriageway during the construction phase of the development. Notwithstanding the status of the application site, Castlehill Manor is inspected on a regular basis, in accordance with normal maintenance inspection programmes. TNI advise that remedial works will be undertaken when necessary following ongoing monitoring and subject to available funding.

It is concluded that the proposal complies with the development plan, regional planning policy and other material considerations, it is recommended that the proposal should be approval subject to conditions as set out in the original planning report.

It is therefore requested Committee delegate authority to the Director of Planning and Place to grant planning permission subject to the final wording of conditions to be agreed and to agree the terms of a legal agreement under Section 76.
Committee Meeting Date: 15 August 2017
Application ID: LA04/2015/0670/F
Proposal: Residential development of 53 No. units comprising 33 No. detached, 4 No. semi-detached, and 16 No. apartments with associated car parking and landscaping
Location: Lands at Castlehill Manor, Castlehill Road, Belfast
Referral Route: Committee – major application exceeding 50 units
Recommendation: Approval incl Section 76 agreement
Applicant Name and Address: Kilmona Holdings Ltd
Adelaide House
Falcon Road
Belfast
BT12 6SJ
Agent Name and Address: Coogan & Co Architects Ltd
144 Upper Lisburn Road
Finaghy
Belfast
BT10 0BG
Executive Summary:
Permission is sought for 53 dwellings comprising 33 semi-detached dwellings, 3 detached, and 16 2-bed apartments, in addition to open space, landscaping, and associated access infrastructure. The proposal was reduced from 74 dwellings in the original submission.

The key issues in the assessment of the proposed development include:

- The principle of the development at this location;
- Impact on the Character of the Area;
- Impact on amenity; and
- Traffic Movement and Parking

The site is located within the development limits of Belfast in the dBMAP 2015 and is identified as ‘whiteland’ and therefore not subject to any particular zonings.

15 representations have been received.

The site has been subject to previous approvals for housing development, the most recent of which related to 106 units in June 2009, expiring in June 2014. The principle of housing at this site has therefore been established and accordingly is acceptable subject to detailed considerations.

The proposed layout has been largely informed by drainage constraints within the site. A culvert and river which traverses the site east to west, and NIW infrastructure which traverses the site north to south adjacent to the eastern site boundary. Residential amenity of existing and prospective residents will not be adversely affected due to sufficient separation distances – 17m
at closest point to dwellings to the north, 18m at closest to the west, and 28m at closest to dwellings to the south.

Consultees including Environmental Health, Transport NI, Rivers Agency, NIEA, NI Water, Natural Heritage, have no objection to the proposal subject to conditions.

Having had regard to the development plan, relevant planning policies and other material considerations it is concluded that the proposal complies with the development plan, regional planning policy and other material considerations, it is recommended that the proposal should be approval subject to conditions.

It is therefore requested Committee delegate authority to the Director of Planning and Place to grant planning permission subject to the final wording of conditions to be agreed and to agree the terms of a legal agreement under Section 76.
1.0 Characteristics of the Site and Area

The application site is located off the Castlehill road in East Belfast. It is approximately 2 hectares in size and comprises mostly overgrown scrubland. There is a partly open waterway that traverses the site from east to west. Boundary treatments largely comprise typical domestic timber fencing and/or trees and hedging, whilst there is metal fencing along the eastern boundary with Stormont estate. The topography of the site is relatively level, however there is some minor undulations/level changes within the site. However, the site sits at a lower level than adjacent dwellings to the north within Castlehill Manor.

There is a substation to the Northeast of the site, and an access laneway to this building. A NIW wayleave 30m wide is located adjacent to the eastern site boundary. There is low density housing to the south, west, and north of the site.

2.0 Proposal

Permission is sought for 53 dwellings comprising 33 semi-detached dwellings, 3 detached, and 16 2-bed apartments, in addition to open space, landscaping, and associated access infrastructure.

Planning Assessment of Policy and Other Material Considerations

3.0 Site History

Z/2006/0333/F
Residential development comprising of 1no. detached, 18 semi-detached, 52 duplex apartments and 4 apartments (total 75 units).
PERMISSION GRANTED 12.02.2008

Z/2008/0834/F
Erection of residential development comprising 106 residential units with associated landscaping and car parking
PERMISSION GRANTED 29.06.2009

4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan 2015
4.2 Strategic Planning Policy Statement (SPPS)
4.3 Planning Policy Statement 2 (PPS2) – Planning and Nature Conservation
4.3 Planning Policy Statement 3 (PPS3) - Access, Movement and Parking
4.4 Planning Policy Statement 13 (PPS13) - Transportation and Land Use
4.5 Planning Policy Statement 7 (PPS7) – Residential Development
4.6 Planning Policy Statement 12 (PPS12) – Housing in Settlements
4.7 Planning Policy Statement 15 (PPS15) - Planning and Flood Risk

4.9 Supplementary Planning Guidance including ‘Creating Places’, Development Control Advice Note 8 Housing in Existing Urban Areas, and Parking Standards.

5.0 Statutory Consultee Responses

5.1 NI Water - No objection
5.2 DARD - Rivers Agency - No objection
5.3 NIEA - Waste Management - No objection subject to conditions
5.4 DFI - Transport NI - No objection subject to conditions
5.5 DFC – Natural Heritage – no objections subject to conditions

6.0 Non - Statutory Consultee Responses

6.1 BCC Environmental Health - No objection subject to conditions

7.0 Representations

The application has been neighbour notified and advertised in the local press. 15 representations have been received. The following issues have been raised (summarised):

- Additional traffic and associated impacts;
- Flooding and drainage issues on the site and surrounding area;
- Apartments not in keeping with local character;
- Impact on wildlife;
- Unstable land;
- Capacity/structural stability of the access road;
- Overdevelopment / excessive density;
- Impact on services;
- Impact on amenity – privacy, overshadowing, noise and light pollution – contrary to PPS7 QD1 and PPS7 addendum;
- Potential impact on structural integrity of neighbouring buildings if piling used;
- No pre-community consultation;

No representations from any elected representatives have been received.

8.0 Other Material Considerations

8.1 None

9.0 Assessment

9.1 The key issues in the assessment of the proposed development include:

- The principle of the development at this location;
- Impact on the Character of the Area;
- Impact on amenity; and
- Traffic Movement and Parking

9.2 Due to the nature of the proposal, dBMAP and regional housing policies are significant policy considerations.
The SPPS sets out five core planning principles of the planning system, including improving health and well being, supporting sustainable economic growth, creating and enhancing shared space, and supporting good design and place making. Paragraphs 4.11 and 4.12 require the safeguarding of residential and work environs and the protection of amenity. Paragraphs 4.13-8 highlight the importance of creating shared space, whilst paragraphs 4.23-7 stress the importance of good design. Paragraphs 4.18-22 details that sustainable economic growth will be supported. The SPPS states the majority of PPS’s remain applicable under ‘transitional arrangements’ including PPS3 and PPS7.

Permission is sought for 53 dwellings comprising 34 semi-detached dwellings, 3 detached, and 16 2-bed apartments, in addition to open space, landscaping, and associated access infrastructure. The proposal was reduced from 74 dwellings in the original submission.

**Principle of proposed development Use**

The site is located within the development limits of Belfast in the dBMAP 2015 and is identified as ‘whiteland’ and therefore not subject to any particular zonings.

However, in the successfully challenged adopted BMAP the site is identified as a ‘site of local nature conservation importance’ (SLNCI). Whilst the site zoning reverts to the draft 'whiteland' status, weight can be afforded to this zoning as the purported to be adopted dBMAP was at an advanced stage. However, conversely at the time of the PAC consideration of the site and zoning, the site was subject to a planning approval for its redevelopment for 106 dwelling units.

As stated the site has been subject to previous approvals for housing development, the most recent of which related to 106 units in June 2009, expiring in June 2014. Housing policy considerations in terms of PPS7 remain application, however the addendum to PPS 7 and the principle of housing at this site has therefore been established and accordingly is acceptable subject to detailed considerations.

**PPS7 – Design, Character and Appearance of Area and and amenity**

The proposal has been assessed against QD 1 of PPS 7. The preamble to PPS7 advises that it applies to all residential applications with the exception of single houses in the countryside. Policy QD1 states that planning permission will be granted for new residential development only where it is demonstrated that it will create a quality and sustainable residential environment. It indicates that housing will not be permitted in established residential areas where it would result in unacceptable damage to local character, environmental quality or residential amenity of these areas. The policy sets out nine criteria which all residential development proposals are expected to meet. PPS12, DCAN 8 and Creating Places relate to housing developments and are also material considerations. PPS7 addendum safeguarding character is also a material consideration and includes three policies LC1-3.

**Layout**

The proposed layout has been largely informed by drainage constraints within the site. A culvert and river which traverses the site east to west, and NIW infrastructure which traverses the site north to south adjacent to the eastern site boundary.

The layout accords with supplementary guidance in terms of separation distances between proposed and neighbouring existing buildings – approximately 15m min
between front elevations, with separation distances between rear elevations generally in excess of 20m. Amenity space provision for both dwellings and apartments are generally well in excess of minimum standards discussed in supplementary guidance, with lowest provision of private amenity space being approximately 75sqm in several dwelling units. Outdoor communal garden areas are proposed for the apartments, which includes seating and landscaped areas. Within this suburban context, the level of provision is considered acceptable taking account of the planning history of the site. In addition, adequate public open space and management arrangements is provided as part of the development and related requirements under PPS7 and PPS8 are therefore satisfied.

The proposed materials, design and fenestration are consistent with the area, incorporating a similar, fenestration, and solid to void ratios, and also having regard to the previous permissions on the site and in the locality. The proposed designs are therefore compliant with criteria [g] of PPS7. Accordingly, it is considered that the proposal would not adversely affect the character of the area, which is a wide mix of building designs and finishes.

The layout includes a landscaping scheme for the areas of open space, within the curtilage of new buildings, and around the site boundaries and includes the planting of approximately 200 trees, in addition to hedge, shrub and screen planting. The planting scheme has been reviewed by the Tree Officer and is acceptable in terms of species proposed. Conditions are necessary to secure provision, maintenance and management of the landscaping proposed.

**Impact on Residential Amenity**

In regard to impact on residential amenity, there are existing residential uses immediately adjacent to the north, west, and south of the application site. The layout/aspect of all buildings within the site is such that there will be not overlooking of neighbouring properties. In addition there is sufficient separation distances to existing neighbouring properties that dominance and overshadowing will not occur to an unacceptable degree – 17m at closest point to dwellings to the north, 18m at closest to the west, and 28m at closest to dwellings to the south. Accordingly, the proposal will not adversely impact on the amenity of existing residents. Taking account of the previous permission there will be no greater impact on the amenity of existing neighbouring properties.

In terms of prospective residents, each unit has adequate outlook to the public street and external amenity areas. The accommodation proposed is in accordance / generally exceeds standards set out in the addendum to PPS7.

**PPS15 – Flooding**

Rivers Agency and NI Water have been consulted on the application, and assessed the submitted flood risk assessment. Neither consultee has any objections to the proposal and therefore it is considered that the proposal will not result in or be impacted unacceptably by flooding. Objections on these issues have been considered, however given the consultee responses it is considered that the proposal is compliant with PPS15 requirements.

**Traffic, Parking and associated Roads considerations**

Transport NI were consulted and are satisfied that there is sufficient vehicle and bicycle parking provision proposed, the access arrangements are adequate, and that the
9.15 The proposal will not result in a significant impact on traffic or road safety. The proposal includes 130 parking spaces, the majority are in curtilage and dedicated internal cycle parking within the apartment block. This aspect is therefore considered acceptable and compliant with PPS3, associated guidance, and criteria [f] of QD1.

**Bin Storage**

9.15 The applicant has shown bin storage areas for the apartments and therefore this aspect is acceptable.

**Consultee Responses**

9.16 Environmental Health has no objections to the proposal in terms of public health matters including noise, disturbance and associated matters subject to conditions.

NIEA Waste Management has no objections regarding land contamination issues. Natural Heritage are satisfied that the proposal will not adversely impact on flora and fauna. Archaeology and Built Heritage have no objections.

**Objections:**

9.17 A number of the issues raised have been considered in the above assessment. Other issues raised will be considered below:

9.18 - Apartments not in keeping with local character

Regional policies does not preclude the development of apartments in principle within existing residential areas, subject to acceptable scale, massing, design and no unacceptable adverse impacts on neighbouring properties. PPS7 &12 encourage, amongst others, increased densities within urban area without town cramming and provision of a mix of house types. As indicated above, it is not considered that the proposal will adversely affect existing residents.

9.19 - Unstable land
- Capacity/structural stability of the access road
- Potential impact on structural integrity of neighbouring buildings if piling used;

The above issues require an engineering solution to resolve by the developer. Any damage caused to 3rd party land or structure is a civil matter between the developer and relevant parties.

9.20 - No pre-community consultation

Whilst the application is a major development, it was submitted on 25th June 2015 and prior to 1st July 2015, when the legislative requirement for pre-application consultation was introduced. Accordingly, the requirement for pre-submission consultation are not applicable in this case.

9.21 **Developer Obligations**

In this case it is considered appropriate that any planning approval should be subject to the developer entering a legal agreement under Section 76 of the Planning Act with Belfast City Council in order to mitigate to some extent against the impact of the development. This will provide certainty around the management of the accommodation, quantity and quality of the open space, including childrens play.
equipment, and to provide contributions to mitigate against the impact anticipated from 53 new homes with a total of 177 no. bedrooms on local open space and recreation amenity provision.

The works to be undertaken / and or sum of monies are to be agreed with the developer / landowner and the developer has expressed a willingness and commitment to meet these obligations and provide satisfactory contributions.

10.0 **Summary of Recommendation**


Having regard to the policy context and other material considerations above including the planning history, the proposal is considered acceptable and planning permission is recommended subject to conditions.

11.0 **Draft Conditions (delegation of final conditions to Director of Planning & Place requested)**

11.1 As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

11.2 Prior to the occupation of each dwelling hereby approved, boundary walls and fencing in association with each dwelling shall be erected in accordance with the approved plans and shall be permanently retained.

Reason: In the interest of privacy and amenity

11.3 Notwithstanding the provisions of Article 3 and Parts 1, 2 and 3 Class A and B of the Schedule of the Planning (General Permitted Development) Order (NI) 2015 (or any legislation revoking that Order and re-enacting those provisions) no development shall take place within the curtilage of the dwellings hereby approved, including the formation of vehicular / pedestrian accesses, without the written permission of the Council.

Reason: To preserve the integrity of the design and layout of the development, mitigate flood risk, and in the interests of residential amenity.

11.4 All hard and soft landscape works shall be completed in accordance with the approved drawing no date stamped received the appropriate British Standard, the relevant sections of the National Building Specification NBS [Landscape] and plant material with the National Plant Specification NPS prior to occupation of any dwelling / part of the development hereby approved.

11.5 All plant stock supplied shall comply with the requirements of British Standard 3936, 'Specification for Nursery Stock'. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements
of British Standard 4428 'Code of Practice for General Landscape Operations [excluding hard surfaces]'.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

11.6 Trees and vegetation to be retained within the site and proposed planting as indicated on drawing number ? date stamped received ?, shall not be cut down, uprooted or destroyed, or have their roots damaged within the crown spread nor shall arboricultural work or tree surgery take place on any retained tree, without the prior written approval of the Belfast City Council Planning Authority. All arboricultural work shall be carried out in accordance with the approved details, BS 3998, 2010 'Recommendations for Tree Work' (or equivalent British Standard current at time of works).

Reason: To ensure the continuity of amenity afforded by existing trees and vegetation.

11.7 The landscape management plan shall be carried out as approved and reviewed at years 5, 10 and 15 and any changes shall not be implemented without the consent of Belfast City Council Planning Authority.

Reason: To ensure the sustainability of the tree cover on the site through the successful long term proactive maintenance.

11.8 Should any tree, shrub or hedge be removed, uprooted or destroyed or dies or becomes, in the opinion of the Belfast City Council Planning Authority seriously damaged or defective, it shall be replaced within the next planting season by trees, shrubs or hedges of the same species, variety and size to those originally planted, unless the Council gives its written consent to any request for variation.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

11.9 Prior to the occupation of any apartment hereby permitted the bin store area and associated screen landscaping shall be constructed in accordance with the approved drawings, and permanently retained thereafter. Access to the bin storage area shall be available to residents of the apartments hereby permitted at all times.

Reason: In the interests of residential and visual amenity.

11.10 No dwelling or apartment hereby permitted shall be occupied until all drainage mitigation measures as set out in the submitted Flood Risk Assessment have been constructed and installed in accordance with these details. A report verifying these measures have been installed shall be submitted to the satisfaction of the Local Planning Authority. The mitigation measures shall be permanently retained thereafter and not removed without the prior consent of the Local Planning Authority.

Reason: to ensure adequate flood mitigation measures are provided for the site and to protect residential amenity.

11.11 The vehicular access, including visibility splays and any forward sight distance, shall be provided in accordance with approved drawings, prior to the commencement of any other works or other development hereby permitted.

REASON: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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</thead>
</table>
| 11.12   | No dwelling shall be occupied until hard surfaced areas have been constructed in accordance with the approved plan and shall be permanently retained thereafter.  
**REASON:** To ensure acceptable parking facilities on the site. |
| 11.13   | The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.  
**Reason:** To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the development. |
| 11.14   | The access gradients to the dwellings hereby permitted shall not exceed 8% (1 in 12.5) over the first 5 m outside the road boundary. Where the vehicular access crosses footway or verge, the access gradient shall be between 4% (1 in 25) maximum and 2.5% (1 in 40) minimum and shall be formed so that there is no abrupt change of slope along the footway.  
**REASON:** To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. |
| 11.15   | Notwithstanding the provisions of Article 3 and Parts 1, and 3 Class A and B of the Schedule of the Planning (General Permitted Development) Order (NI) 2015 (or any legislation revoking that Order and re-enacting those provisions), no buildings, walls or fences shall be erected, nor hedges nor formal rows of trees grown in verges/service strips determined for adoption.  
**REASON:** To ensure adequate visibility in the interests of road safety and the convenience of road users and to prevent damage or obstruction to services. |

Signature(s)

Date:
### ANNEX

<table>
<thead>
<tr>
<th>Details of Neighbour Notification (all addresses)</th>
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<tbody>
<tr>
<td>The Owner/Occupier, 1 Castle Karia Manor, Ballycloghan, Belfast, Down, BT4 3QL,</td>
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<tr>
<td>The Owner/Occupier, 1 Castlehill Manor Ballycloghan Belfast</td>
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<tr>
<td>Shanti McAllister</td>
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<td>1, Castlehill Drive, Belfast, Down, Northern Ireland, BT4 3GS</td>
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Ian Morgan
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Morgan
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JM Bullick
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William Stewart
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6 Castlehill Manor Ballycloghan Belfast
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R.A. Hall
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Barry Gray
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8 Castlehill Drive Ballycloghan Belfast
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**Date of Last Neighbour Notification:** 1st August 2017

**ES Requested:** No

**Planning History**

**Ref ID: Z/1989/1050**
Proposal: Construction of 4 No. detached houses
Address: CASTLEHILL MANOR, CASTLEHILL ROAD, BELFAST BT5
Decision:
Decision Date:

**Ref ID: Z/1989/0479**
Proposal: Erection of 8 No. Detached dwellings with garages
Address: CASTLEHILL MANOR CASTLEHILL ROAD BELFAST BT4
Decision:
Decision Date:

**Ref ID: Z/2006/0333/F**
Proposal: Proposed residential development comprising of 1no. detached, 18 semi-detached, 52 duplex apartments and 4 apartments (total 75 units). (Amended scheme)
Address: Lands of Castlehill Manor, Castlehill Road, Stormont, Belfast
Decision:
Decision Date: 12.02.2008
Ref ID: Z/2008/0834/F
Proposal: Erection of residential development comprising 106 residential units with associated landscaping and car parking
Address: Lands at Castlehill Manor, Castlehill Road, Belfast
Decision:
Decision Date: 29.06.2009

Ref ID: Z/2006/0338/F
Proposal: Proposed residential development comprising of 29no. detached dwellings. Address: Lands off Castlehill Manor, Castlehill Road, Stormont.
Decision:
Decision Date: 20.02.2008

Ref ID: Z/1981/0674
Proposal: HOUSING DEVELOPMENT (KILLEN DEVELOPMENTS LTD) Address: CASTLEHILL ROAD/MASSEY COURT, BT4
Decision:
Decision Date:

Ref ID: Z/1994/0318
Proposal: Housing development of 28 no. dwellings Address: LANDS TO REAR OF CASTLEHILL DRIVE BELFAST BT4
Decision:
Decision Date:

Ref ID: Z/1987/0485
Proposal: ERECTION OF 9 NO DETACHED DWELLINGS WITH DETACHED SINGLE GARAGES
Address: CASTLEHILL MANOR, CASTLEHILL ROAD, BT4
Decision:
Decision Date:

Ref ID: Z/1987/2386
Proposal: Erection of 13 no detached dwellings with detached garages
Address: CASTLEHILL MANOR, CASTLEHILL ROAD BELFAST BT4
Decision:
Decision Date:

Ref ID: Z/1980/1858
Proposal: USE OF EXISTING BUILDINGS FOR PROFESSIONAL OFFICES WITH EXTENSION TO REA
Address: 1/3 NETHERLEIGH MEWS, BELFAST 4
Decision:
Decision Date:

Ref ID: Z/1975/1186
| Proposal: HOUSING DEVELOPMENT  
| Address: MASSEY AVENUE/CastleHill ROAD, BT4  
| Decision:  
| Decision Date: |

| Notification to Department (if relevant) |
| Date of Notification to Department: |
| Response of Department: |
## Summary

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<th>Committee Meeting Date: 19(^{th}) September 2017</th>
<th>Application ID: LA04/2016/0487/F</th>
<th>Target Date:</th>
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<tbody>
<tr>
<td>Proposal: Change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension.</td>
<td>Location: 1 St Agnes Drive, Andersonstown Road, Belfast BT11 8GZ</td>
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## Referral Route:

<table>
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<tr>
<th>Recommendation:</th>
<th>Change of Opinion - Refusal</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Applicant Name and Address:</th>
<th>Agent Name and Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabica Investments Ltd</td>
<td>Peter J Morgan</td>
</tr>
<tr>
<td>17 Glengoland Crescent</td>
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<tr>
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<tr>
<td>BT17 0JG</td>
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## ADDENDUM REPORT:

This application was previously presented to Belfast City Council Planning Committee on 20\(^{th}\) June 2017 with a recommendation to approve (See report at Annex 1). The application was deferred for a site visit which occurred on 8\(^{th}\) August 2017.

Following the Committee meeting Planning Service received further objections from neighbours. The objections raised the following issues:

- Car parking.
- Anti-social behaviour

## Further Assessment

Following the deferral of the application by committee the proposal was reassessed to consider the further matters raised by objectors and by members of the planning committee.

### 1.0 Impact on Residential Amenity

#### 1.1 Overshadowing and Loss of Light

The application site is located at 1 St Agnes Drive. The property is currently a semi-detached residential dwelling, the adjoining property (3 St Agnes Drive) is outside the planning application boundary and is not in the ownership or control of the applicant and is to remain as a residential dwelling. As well as a change of use, the proposal also includes a single storey extension to side and rear of the property to accommodate the coffee shop. In terms of impact on residential amenity the PPS 7 addendum sets out guidance on the assessment of this on adjacent properties in terms of overshadowing and loss of light. Given the positioning of the proposed extension it is considered that the adjacent residential property would suffer from a loss of light to the rear habitable living room as well as to their private amenity space, to the immediate rear of the dwelling. The proposal is considered therefore to cause unacceptable overshadowing and loss of light and breaches the angle test.
1.2 Noise
Paragraph 2.3 of the SPPS addresses the issue of residential amenity. It states that planning authorities must consider whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected on the public interest. Annex A of the SPPS deals specifically with managing noise and states that whilst noise is an inevitable consequence of human activity and cannot be avoided entirely, noise can impact adversely on human health and well-being, especially where it is prolonged or evident during normal quiet periods or unusually quiet areas.

DCAN sets out the main issues to be considered in relation to proposals for coffee shops. DCAN 4 states proposals for restaurants, cafes and fast food outlets should also have regard to the design of the scheme and its impact on visual amenity and the amenity of any adjoining residential areas. Applications are assessed on the likely impact on the character and amenity of the adjoining or surrounding area. Factors to be taken into consideration include noise disturbance, smells & fumes, refuse & litter, traffic considerations & car parking and the provision for disabled people.

It advises that the local Planning Authority should treat noise as a material consideration in the determination of planning applications for proposals likely to give rise to significant levels of noise and in these circumstances, consultation with the relevant authorities, including Environmental Health, may be necessary. It goes on to say that Planning Authorities should seek to reach balanced decisions that consider noise issues alongside other relevant material considerations, including the wider benefits of the particular proposal.

Environmental Health in their response dated 11th October 2016 have suggested conditions be attached to any permission restricting the noise levels from the proposed coffee shop however, having assessed these conditions against the seven tests for a condition as set out in the SPPS it is considered unreasonable to attach conditions where the perceived and actual level of nuisance has the potential to have such a significant impact to the adjoining property and cannot be considered securely to be acceptable in principle.

Following consideration regarding the amenity of the residents of the adjoining property. It is considered there would be disturbance from increased ambient noise levels due to noise arising from the premises. Noise is likely to arise from the kitchen and preparation area where noise is transmitted to the adjacent rooms to common walls, floors and ceilings. Noise is also likely from persons loitering outside the premises, associated vehicular and pedestrian traffic as well as nuisance from bin usage which is only accessible via a roller shutter door adjacent to the residential boundary.

1.3 Odours.
Odour emissions were also raised as a concern by Environmental Health who suggested that a planning condition being imposed for an odour abatement system be installed however there are still concerns that there could be odour problems. It is stated that the discharge point shall be directed away from the nearby residential premises but no details of the positioning of this are known at this point therefore this could potentially have an adverse effect on the amenity of the adjoining residential property given the location of the kitchen adjacent to the residential boundary. The extraction and ventilation system could cause noise, nuisance and general disturbance to the residents of St Agnes Drive.

2.0 Late Objections
The further issues raised by the objectors have been considered.

Transport NI have assessed the issues in respect of traffic considerations and car parking and have no objections to the proposal subject to conditions.
A concern with regard to anti-social behaviour in the area was also raised however this issue is outside the remit of the planning authority and is the responsibility of other statutory bodies.

3.0 Planning History
There have been previous approvals on the site;
Z/2005/0754/F 1 St Agnes Drive Proposal to include change of use from residential dwelling to retail units on the ground floor and office accommodation on the first floor as well as a two-storey extension to rear. Permission granted 2006.
Z/2007/1507/F 1 & 3 St Agnes Drive Proposed demolition of existing dwellings and the construction of 2no retail units with office on the first floor with associated car parking. Permission Granted 2008.

Both by the then planning authority, Department of Environment (DOE).

4.0 Recommendation
These historic permissions have expired but remain material considerations, however, this needs to be balanced with consideration of the impact of such works on residential amenity and the character and appearance of the individual properties and its wider surroundings.

The policy context has changed with the publication of the PPS 7 addendum in 2008 and the publication of the SPPS.

The Council as a separate planning authority with elected representatives has now considered the proposal from within this property and is entitled to make its own planning judgement and is not bound by the decisions previously taken by DOE.

Having re-assessed the impact on neighbouring residents as set out above it is recommended that the application is refused for the following reasons;

1. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland (SPPS) and Development Control Advice Note 4 'Restaurants, Cafes and Fast Food Outlets' in that the use would, if permitted, harm the living conditions of neighbouring residential properties through odours, noise, nuisance, and general disturbance resulting in a detrimental impact on residential amenity.

2. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland in that, if permitted, would create conflict with adjacent land uses in respect of over-dominance, loss of light, and overshadowing.

3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland, in that it would, if permitted, cause unacceptable damage to the character of the area due to the uncharacteristic design, scale and mass of the proposal.
ANNEX 1

Development Management Officer Report
Committee Application

| Summary |
|-----------------|-----------------|
| **Committee Meeting Date:** 20 June 2017 |  |
| **Application ID:** LA04/2016/0487/F | **Location:** 1 St Agnes Drive, Andersonstown Road, Belfast BT11 8GZ  |
| **Proposal:** Change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension. |  |
| **Referral Route:** Significant level of objections |  |
| **Recommendation:** Approval |  |
| **Applicant Name and Address:** Arabic Investments Ltd, 17 Glengoland Crescent, Dunmurry, Belfast, BT17 0JG | **Agent Name and Address:** Peter J Morgan, 17 Glengoland Crescent, Dunmurry, Belfast, BT17 0JG |

**Executive Summary:**
The application seeks permission for the change of use of the ground floor of a dwelling to coffee shop with first floor store, incorporating a single storey extension to side and rear of the premises.

**Area Plan**
The site is zoned as Whiteland with no designated use in Belfast Urban Area Plan 2001 and the Draft Belfast Metropolitan Area Plan 2015.

The main issues to be considered are:
- The principle of a coffee shop and store at this location
- The effect of the proposal upon the character and appearance of the area; and
- On the living conditions on neighbouring properties.

The proposal conforms to the area plan zoning and planning policy. The proposed development is considered acceptable and will not adversely impact on the character of the area or residential amenity.

Consultees offered no objection to the proposal

21 objections were received to the proposal. It is considered appropriate that the application be presented to the Planning Committee given the level of objections received. The issues raised in the representations are considered in the case officer report.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

**Recommendation**
It is recommended that the delegated authority is given to the Director of Planning & Place to approve the application with conditions with the final framing and wording of conditions to be...
1.0 **Description of Proposed Development**
The proposal is for a change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension.

2.0 **Description of Site**
The application site is located at No 1 St Agnes Drive. The site is within the development limits of Belfast as designated in the Belfast Metropolitan Area Plan 2015 and within an area with no designated use in Belfast Metropolitan Area Plan 2015. The building is currently a vacant semi-detached dwelling. Boundary treatments include a fence to the front and side of the dwelling. The area is mixed use with residential properties along St Agnes Drive and commercial and retail units along the Andersonstown Road including a hairdressers and hot food bar located adjacent to the site.

3.0 **Site History**
3.1 Z/2005/0754/F- 1 St Agnes Drive, Belfast. Proposal to include change of use from residential dwelling to retail units on the ground floor and office accommodation on the first floor as well as a two storey extension to rear. Permission granted 12/05/2006.

4.0 **Policy Framework**
4.1 Belfast Urban Area Plan (BUAP) 2001
Draft Belfast Metropolitan Area Plan (BMAP) 2015

4.2 Strategic Planning Policy Statement for Northern Ireland Planning Policy Statement 3- Access, Movement and
5.0 Statutory Consultees
None

6.0 Non-Statutory Consultees
6.1 Transport NI – No objection
6.2 Environmental Health- No Objection
NIWater- No Objection

7.0 Representations
7.1 The application has been neighbour notified and advertised in the local press and 11 objections was received raising the following concerns:
- Health and safety.
- Parking/traffic.
- Privacy/impact on residential properties.
- Anti-social behaviour
- Noise/nuisance
- Numerous cafes in area.

8.0 Other Material Considerations
None

9.0 Assessment
9.1 Development Plan

Article 6 (4) of the Planning (Northern Ireland) Act states that in making any determination under the said act regard is to be had to the local development plan, and that the determination must be made in accordance with the plan unless material consideration indicate otherwise.

The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.

The site is unzoned, (whiteland) in the BUAP and draft BMAP, however, the site fronts onto Andersonstown Road, an Arterial Route (AR 01/08) as designated in Draft BMAP.

Principle of development

The main issues to be considered are:
- The principle of a coffee shop and store at this location
- The effect of the proposal upon the character and appearance of the area; and
- On the living conditions on neighbouring properties.

The proposal is for a Change of use from dwelling to coffee shop at ground floor and first floor store. Single storey side and rear extension.

Previous plans submitted included a coffee shop at ground floor with a first floor apartment above, amendments were sought to change the apartment to a store. Amended drawings were submitted on 16th January 2017 to show access from the store to the coffee shop, removal of the garden roof terrace at first floor level, planting and the extension set back from the building line.

21 objections were received to the proposal. The main issues raised in the objections as set out in paragraph 7.0 are considered in the assessment below.
The proposal has been assessed against Planning Policy Statement 3. TransportNI offers no objection to this proposal.

**SPPS**

Under the SPPS, the guiding principle for planning authorities in determining planning applications is that sustainable development should be permitted, having regard to the development plan and all other material considerations, unless the proposed development will cause demonstrable harm to interests of acknowledged importance.

**Development Control Advice Note 4 – Restaurants, cafes and fast food outlets**

Development Control Advice Note 4 – Restaurants, cafes and fast food outlets is relevant.

DCAN4 sets out a number of factors to assess the proposal against, Noise disturbance, smells and fumes, refuse and litter, traffic considerations and car parking and provision for people with disabilities.

Environmental Health was consulted and considered the above listed considerations and the noise impact assessment submitted. Environment Health recommended that the coffee shop shall not operate between the hours of 11pm and 7am. Deliveries and collections by commercial vehicles to and from the development shall only be made between the hours of 7.00 and 23.00hrs. No food shall be fried in the proposed coffee shop.

**Scale, massing and Design**

The proposal includes a single storey extension to side and rear of dwelling to provide a coffee shop at ground floor level with a first floor store above. The proposed changes at first floor level are internal with no external changes such as additional windows.

The proposed coffee shop faces onto the main Andersonstown Road. The front elevation of the coffee shop is to consist of facing brickwork and a grey powder coated aluminium shop front with glazing and a door. A flat roof is proposed on the extension. A 1.2m high wall and fence is proposed to the front and side elevation, with a planted area behind. The rear elevation consists of grey powder coated aluminium shop front with a roller shutter. The proposed elevation that fronts onto St Agnes Drive consists of a planted area with a brick wall and fence on top.

**Impact on neighbouring amenity**

The proposal is located on a corner site at the junction of St Agnes Drive and the Andersonstown Road with a dwelling adjoining the property. St Agnes Drive is an established residential area consisting of semi-detached dwellings similar in design and appearance.

The site is unique in that it is a vacant residential property which protrudes onto a predominately commercial frontage on the Andersonstown Road. Although the single storey side extension will break the building line on Andersonstown Road its visual impact is lessened by the fact it has a flat roof and low elevation and also that the existing 2 storey building projects beyond the building line. The planting of trees to the side will also screen the extension setting forward of the building line. Any further visual impact created by the proposal will be insignificant and will not harm the character of the area. The building line along the Andersonstown Road is already stepped and non-uniform.

The built form to St Agnes Drive will essentially resemble that of a domestic dwelling in terms of its scale and massing and to its extent its design. Planting is proposed which
will contribute positively to the street scene. The proposal should therefore have minimal impact on the character of St Agnes Drive. The extension will not cause any unacceptable loss of light or over shadowing and will not have a detrimental impact on the amenity of No 3 St Agnes Drive.

The proposed use of coffee shop is compatible with the locality and the site and the loss of a residential dwelling is not considered detrimental to the overall area. The change of use and extension will improve an existing vacant and derelict dwelling and enhance the character and appearance of the area.

**Traffic and Parking**
The coffee shop will be accessed directly by pedestrians from Andersonstown Road via a new entrance and will be served by on street parking arrangements which is not unusual in the area as there are a number of commercial/retail businesses in the immediate area with car parking via on street parking.

In respect of traffic considerations and car parking Transport NI has considered the proposal and a parking survey and has no objections to the proposal subject to conditions.

<table>
<thead>
<tr>
<th>10.0</th>
<th>Summary of Recommendation: Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1</td>
<td>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions for the following reasons.</td>
</tr>
<tr>
<td>10.2</td>
<td>The proposed change of use and extension is considered acceptable in its locality, will improve the appearance of this section of the Andersonstown Road and will not adversely impact on visual or residential amenity. Consultees have offered no objections subject to the conditions outlined below. Representations have been considered. Approval is recommended.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11.0</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.</td>
</tr>
<tr>
<td>2.</td>
<td>The vehicular access shall be constructed in accordance with Drawing No.05 bearing the date stamp 6th July 2016. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</td>
</tr>
<tr>
<td>3.</td>
<td>The vehicular access hereby permitted shall be formed by lowered kerbs at the carriageway edge and associated re-grading of the footway to the satisfaction of TransportNI. Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.</td>
</tr>
<tr>
<td>4.</td>
<td>The development hereby permitted shall not be occupied until the redundant vehicular access from the site to the public road has been permanently closed and the footway reinstated to the satisfaction of TransportNI.</td>
</tr>
</tbody>
</table>
5. Hard surfaced areas shall be constructed in accordance with Drawing No.05 bearing the date stamp 6th July 2016 to provide for parking within the curtilage of the site. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles. Reason: To ensure that adequate provision has been made for parking within the curtilage of the site.

6. Prior to the commencement of the hereby approved use, the mitigation measures as outlined in the F.R Mark and Associates Noise and Acoustic Consultants report titled “Noise Impact Assessment, Proposed change of use from a dwelling to a ground floor coffee shop and first floor apartment at 1 St Agnes Drive, Belfast” dated September 2016 shall be fully implemented. Reason: Protection of Residential Amenity

7. The Rating Level (dBLAr) of sound from all combined building services plant associated with the ground floor commercial premises shall not exceed the background level (day time and night time) at the nearest noise sensitive premises when measured in accordance with assessment methodology outlined in BS4142:2014-Methods for rating and assessing industrial and commercial sound. Reason: Protection of residential amenity

8. No service deliveries or collections to and from the premises shall take place between 11pm and 7am. Reason: Protection of Residential Amenity

9. The premises shall not open for business prior to 07.00 hours or after 23.00 hours. Reason: Protection of Residential Amenity.

10. The use of the coffee shop hereby approved shall be restricted so that no shallow or deep fat frying of food shall take place on the premises, unless otherwise agreed in writing by the Planning Authority. Reason: Protection of residential amenity
ANNEX

<table>
<thead>
<tr>
<th>Date Valid</th>
<th>3rd March 2016</th>
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</thead>
<tbody>
<tr>
<td>Date First Advertised</td>
<td>25th March 2016</td>
</tr>
<tr>
<td>Date Last Advertised</td>
<td>3rd February 2017</td>
</tr>
</tbody>
</table>

**Details of Neighbour Notification** (all addresses)
11 St. Agnes Drive Ballydownfine Andersonstown
133A, 134-148 Andersonstown Road, Belfast, Andersonstown, Antrim, Northern Ireland, BT11 9BU
2, 3, 5, 7, 9, 21, St. Agnes Drive Ballydownfine Andersonstown
Paul Maskey MP 53 Falls Road, Belfast, BT12 4PD
Cafe Kelstar, 133a Andersonstown Road, Belfast, BT11 9BU

**Date of Last Neighbour Notification**

**Date of EIA Determination**

**ES Requested**  Yes /No

**Planning History**

Ref ID: Z/2010/0293/A
Proposal: Erection of shop signage
Address: Units 1-4 and first floor unit Slemish building 105 Andersonstown Road, 133 and 149 Andersonstown Road.
Decision: Decision Date: 10.05.2010

Ref ID: Z/2007/1507/F
Proposal: Proposed demolition of existing dwellings and the construction of 2no retail units with office on the first floor with associated car parking.
Address: 1 & 3 St Agnes Drive, Ballydownfine, Belfast, BT11 8GZ
Decision: Decision Date: 04.03.2008

Ref ID: Z/2005/0754/F
Proposal: Proposal to include change of use from residential dwelling to retail units on the ground floor and office accommodation on the first floor as well as a two-storey extension to rear.
Address: 1 St Agnes Drive, Ballydownfine, Belfast, Northern Ireland, BT11 8GZ
Decision: Decision Date: 13.04.2006

Ref ID: Z/1991/2976
Proposal: Change of use from dwelling to offices
Address: 1 ST AGNES DRIVE BELFAST BT11
<table>
<thead>
<tr>
<th>Ref ID: Z/1989/3086</th>
<th>Proposal: Change of use from domestic garage to shop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: 137C ANDERSONSTOWN ROAD BELFAST BT11</td>
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</table>

<table>
<thead>
<tr>
<th>Ref ID: LA04/2016/0487/F</th>
<th>Proposal: Change of use from dwelling to coffee shop at ground floor and first floor apartment. Single storey side and rear extension.</th>
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<tbody>
<tr>
<td>Address: 1 St Agnes Drive, Andersonstown Road, Belfast, BT11 8GZ,</td>
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</table>

<table>
<thead>
<tr>
<th>Ref ID: LA04/2015/0736/F</th>
<th>Proposal: Proposed single storey Extension and Change of Use to provide ground floor coffee shop and first floor storage (revised description and scheme).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: No. 1 St Agnes Drive, Andersonstown Road, Belfast, BT11 8GZ,</td>
<td></td>
</tr>
</tbody>
</table>

**Decision: WITHDR**

**Decision Date:** 24.02.2016

**Summary of Consultee Responses**
- Transport NI – No objection
- Environmental Health- No Objection Subject to conditions
- NIWater- No Objection

**Drawing Numbers and Title**
- 01 Site Location
- 02a Proposed Plans
- 03a Proposed Plans
- 04 Existing Plans/Elevations

**Representations from Elected members:**
- Letter of objection from Paul Maskey, MP

**Notification to Department (if relevant)**
- N/A
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## Development Management Officer Report
### Committee Application

### Summary

<table>
<thead>
<tr>
<th>Committee Meeting Date: 19 September 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application ID: LA04/2017/0623/F</td>
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<tr>
<td>Proposal: Single storey rear extension, rear dormer and first floor extension to rear. First floor front extension. (amended description)</td>
</tr>
<tr>
<td>Referral Route: Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation</td>
</tr>
<tr>
<td>Recommendation: Approval</td>
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</tbody>
</table>

### Executive Summary:

Planning permission is sought for a single storey sunroom extension to the ground floor rear, a first floor rear extension, provision of a rear dormer and a first-floor extension to the front of the dwelling.

The site is located within the development limits for Belfast and falls within the Malone Conservation Area (sub area L – Broomhill).

This full application is accompanied by an application for conservation area consent LA04/2017/0628/DCA.

Seven respondents have submitted eleven representations of objection; two of which were in response to neighbour notification following receipt of amended plans.

The key issues to be considered are:
- If the proposal is sympathetic to the Malone Conservation Area
- If the proposal unduly affects the privacy or amenity of neighbouring properties

The proposal has been assessed against the SPPS, Policy EXT 1 of APPS 7 and Policy BH 12 of PPS 6. It is considered to be in general compliance with good design principles, as contained within the SPPS. It has been found to be in general compliance with Policy EXT 1 of APPS 7 and Policy BH 12 of PPS 6. The DGMCA has also been considered in determining the proposal.

### Recommendation

Having regard to the policy context and other material considerations, the proposal is considered acceptable and planning permission is recommended subject to conditions.
Case Officer Report

Site Location Plan

![Site Location Plan](image)

Representations:

<table>
<thead>
<tr>
<th>Letters of Support</th>
<th>None Received</th>
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</thead>
<tbody>
<tr>
<td>Letters of Objection</td>
<td>11</td>
</tr>
<tr>
<td>Number of Support Petitions and signatures</td>
<td>No Petitions Received</td>
</tr>
<tr>
<td>Number of Petitions of Objection and signatures</td>
<td>No Petitions Received</td>
</tr>
</tbody>
</table>

Characteristics of the Site and Area

1.0 **Description of Proposed Development**

The proposal is for a single storey sunroom extension to the ground floor rear, a first floor rear extension, provision of a rear dormer and a first-floor extension to the front of the dwelling.

2.0 **Description of Site**

The site consists of an existing four-bay, two storey detached dwelling faced in roughcast render to the first floor, with half timbering detail present on the front facade. The ground floor is faced in red brick, with blocked stone surroundings to window and door openings. To the front is an amenity area with paved driveway and boundary wall with attached railings. A wooden fence to one side and a mature hedge to the other, separate the neighbouring properties. To the rear is a relatively narrow amenity area. Boundary treatments to the rear primarily consist of mature hedgerow. The site falls within the Malone Conservation Area (sub area L – Broomhill). The area is residential in character.
### Planning Assessment of Policy and other Material Considerations

#### 3.0 Site History and Surrounding Site History

**3.1 Site History**
- LA04/2017/0628/DCA - Partial demolition to facilitate single storey rear extension, first floor rear extension rear dormer and first storey front extension (The proposal has been assessed against Policy BH 14 of PPS 6 and has been found to be in compliance with the policy)

**3.2 Surrounding Site History**
- None relevant

#### 4.0 Policy Framework

**4.1 Belfast Urban Area Plan (BUAP) 2001**
- Draft Belfast Metropolitan Area Plan (dBMAP) 2015

**4.2 Strategic Planning Policy Statement for Northern Ireland (SPPS)**
- Good Design Paras. 4.23 – 4.30
- Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage (PPS 6)
  - Policy BH 12 – New Development in a Conservation Area
  - Policy BH 14 – Demolition in a Conservation Area
- Planning Policy Statement 7 (Addendum) – Safeguarding the Character of Established Residential Areas (APPS 7)
  - Policy EXT 1 – Residential Extensions and Alterations

#### 5.0 Assessment

**5.1** The proposal is considered to be in general compliance with good design principles, as contained within the SPPS. It has been found to be in general compliance with Policy EXT 1 of APPS 7 and Policy BH 12 of PPS 6.

**5.2 Statutory Consultees Responses**
- None

**Non Statutory Consultees Responses**
- Council’s Conservation Officer – No objection subject to conditions regarding materials

#### Representations

The application has been neighbour notified and advertised in the local press. Seven respondents have submitted eleven representations of objection; two of which were in response to neighbour notification following receipt of amended plans. A summary of the main points raised in the objections are as follows:
- the proposal will impact negatively on the appearance of the dwelling and built environment
- the proposed dormer window and use of materials is incompatible with the dwellings roof profile and the surrounding roofscape
- the positioning of the extensions and their impact on the properties three-dimensional form
- the impact on neighbouring amenity, namely overlooking, loss of privacy and diminished sunlight.
The issues raised shall be dealt with in the assessment below.

**Other Material Considerations**

5.4 A Design Guide for the Malone Conservation Area (DGMCA)

**Conservation Area Consideration**

5.5 The site falls within the Malone Conservation Area (sub area L – Broomhill). The Council’s Conservation Officer raised no objection to the overall proposal however advised of his preference for a more traditional and contextually appropriate style of dormer, but accepted the scale and form of the proposed dormer, subject to conditions being attached in respect of the materials to be used.

**Built form, appearance and character**

5.6 The single storey sunroom extension to the ground floor rear is subordinate to the main dwelling and is considered to be acceptable in that it will not have a detrimental impact on any fabric of significance.

5.7 The first floor rear extension and first floor extension to the front of the dwelling will result in an increase of the eastern gable end from 6.2 metres to 9.3 metres. It is recognised that the increase in gable depth will alter the three dimensional form of the dwelling. However, it is considered that the level of intervention is minimal and that much of the substantial character will be retained, so as not to have a detrimental impact on its overall built form and appearance. The first floor rear extension will run level with the principal façade to the back of the dwelling and is acceptable in terms of form, massing, detailing and external finish.

5.8 The first floor extension to the front of the main dwelling is considered to be acceptable, in this particular instance. It is not deemed to constitute the addition of another storey to an attached garage, when considered in the context of the DGMCA. This is due to the relatively unique position of the garage in that it is attached to the front of the dwelling, together with the fact that the proposed first floor extension does not protrude beyond the existing building line. Rather, it is stepped back from the building line by approximately 0.1m, and does not overlay the entire extent of the existing garage footprint. The proposed first floor extension is considered subordinate to the main dwelling and capable of achieving a harmonious and unobtrusive addition to the front façade. It will not alter the roofline silhouette and the proposed external materials are sympathetic in appearance to the existing dwelling, so as not to detract from the character of the surrounding area.

5.9 The provision of a rear dormer, while not of traditional design, is of a scale and form that is considered to be appropriate to the host dwelling, in that the original ridge line is maintained and sufficient roof slope remains. The proposed dormer does, however, introduce a modern element to the roof profile. While it is visible from a limited number of viewpoints, on balance, the provision of the rear dormer is considered to be acceptable, in that the materials proposed will achieve a sufficient level of integration with the existing roof covering.

**Overlooking**

5.10 The proposed rear dormer is set back from the eaves and it is not considered that the dormer will present an unacceptable degree of overlooking or exceed the outlook which already exists via the existing first floor bedroom window. This bedroom is to be replaced by an ensuite use under the current proposal. In effect, therefore, the existing first floor bedroom will be substituted for the proposed dormer that will serve an additional bedroom and ensuite which is likely to limit the regularity in which the rooms
are used, particularly during daylight hours. Separation distances between dwelling facades of neighbouring properties and the proposed rear dormer are adequate and there is sufficient natural screening to offer some interruption to the views, so as not to create an unacceptable impediment to neighbouring privacy.

Dominance
While the first floor rear extension and first floor extension to the front of the dwelling will result in an increase to the gable depth at the eastern side, it is not considered that this will present issues of dominance. Existing separation distances between the main gable walls of the host and adjacent dwelling will be maintained, and it is considered that there will be no adverse impact or sense of encroachment caused by the extensions.

Overshadowing and loss of light
The land on which the host dwelling and its neighbouring properties are situated is relatively level. However, there is a slight slope which positions the host dwelling at a higher level to the neighbouring property at No 12. It is considered that the change in level is negligible so as not to have an adverse effect on neighbouring amenity or cause an unacceptable level of overshadowing or loss of light.

Landscape features and private amenity space
The proposal will not cause any loss or damage to landscape features and has no bearing upon the existing parking provision and manoeuvrability within the curtilage of the dwelling.

Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.

Summary of Recommendation:
Approval subject to conditions.

Conditions
1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.
   Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011.

2. The materials to be used in the construction of the external surfaces of the proposal hereby permitted, shall be as stipulated on Drawing No. 02B, date stamped 14 June 2017.
   Reason: In the interest of visual amenity and to ensure the proposal is in keeping with the Malone Conservation Area.

3. Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any Order revoking and/or re-enacting that order, the first floor bathroom windows, first floor ensuite window to Bedroom 4 and the second floor ensuite window, as stipulated on Drawing No. 02B, date stamped 14 June 2017, shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.
   Reason: To safeguard the privacy of adjacent properties.
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
</table>
| 8.0     | **Notification to Department (if relevant)**  
If approved, the Department for Infrastructure will be notified.  
9.0     | **Representations from Elected members:**  
Committee referral request by Councillor Reynolds.  |
## ANNEX

<table>
<thead>
<tr>
<th>Details</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date Valid</td>
<td>22 March 2017</td>
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<tr>
<td>Date First Advertised</td>
<td>14 April 2017</td>
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<tr>
<td>Details of Neighbour Notification (all addresses)</td>
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<tr>
<td>12 Broomhill Park, Malone Lower, Belfast, Antrim, BT9 5JB</td>
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<td>19 Broomhill Park, Malone Lower, Belfast, Antrim, BT9 5JB</td>
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<td>8 Broomhill Park Central, Malone Lower, Belfast, Antrim, BT9 5JD</td>
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<td>17 Broomhill Park, Malone Lower, Belfast, Antrim, BT9 5JB</td>
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<td>15, Broomhill Park, Belfast, BT9 5JB</td>
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<tr>
<td>14, Broomhill Park, Belfast, BT9 5JB</td>
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<tr>
<td>Date of Last Neighbour Notification</td>
<td>10 August 2017</td>
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</tbody>
</table>

### Planning History

Ref ID: LA04/2017/0628/DCA
Proposal: Partial demolition to facilitate single storey rear extension, first floor rear extension rear dormer and first storey front extension.
Address: 10 Broomhill Park, Belfast, BT9 5JB
Decision: Decision Pending

**Drawing Numbers:** 01, 02A.
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Committee Meeting Date:  

Item Number:  

Application ID: LA04/2016/2196/F  

Target Date:  

Proposal:  
Demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works.  

Location:  
St Patricks Primary School 9-25 Pim Street  
Belfast BT15 2BN  

Referral Route: Major Application  

Recommendation: Approval  

Applicant Name and Address:  
Edmund Rice Schools Trust NI Ltd  
8-30 Barrack Street  
Belfast  
BT12 4AH  

Agent Name and Address:  
Turley  
Hamilton House  
3 Joy Street  
Belfast  
BT2 8LE  

Executive Summary: Full application seeking planning permission for demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works.  

The key issues in the assessment of the proposal are as follows:  

- The acceptability of a replacement school on this site. Height, Scale and Design.  
- Traffic and Parking  
- Impact on Residential Amenity  
- Contaminated Land  
- Pre-application Community Consultation  

The site is located within the development limits of Belfast in the Belfast Urban Area Plan and draft Belfast Metropolitan Area Plan.  

The building will replace the two existing school buildings and will consolidate the facility on one site as opposed to two. 616 pupils and 84 staff members will be accommodated within the new building.  

The scale and massing has been adopted to ensure the neighbouring residential properties will not suffer any loss of amenity as a result of the development. The level change across the site enables the highest part of the school to be located in the middle of the site with the lower parts of the building located towards the edge of the site where the levels are higher.  

In light of outstanding comments from TransportNI it is requested that the final wording of the
conditions is delegated to the Director of Planning and Place.

Having had regard to the development plan, relevant planning policies, and other material considerations, it is determined that the proposal should be approved subject to conditions.

Ten letters of objection were received. Concerns raised include car parking and impact of demolition works.

Recommendation
Approve subject to conditions set out in the case officer report.

Signature(s):
Case Officer Report

Site Location Plan

Characteristics of the Site and rea

1.0 Description of Proposed Development
Demolition of existing buildings and erection of Primary School with associated Multi-Use Games Area, car parking, landscaping and associated site works.

2.0 Description of Site
The site is currently occupied by a primary school and consists of two distinctive areas, one off Pim Street and the other off Churchill Street. The two main school buildings are located on separate parts of the site. The building on the northern portion of the site off Churchill Street is a two storey red bricked building with hipped roof. The building occupies most of the site with some car parking located to the west along the western boundary. Two mobile classrooms are located close to the eastern boundary. The site slopes gently away to the north-east corner.

The building to the south located off Pim Street is a two storey flat roofed structure which runs north to south centrally through the site with a large area of hard and soft landscaping surrounding the building. Mobile classrooms and parking occupy the southern part of the site.
A row of mature trees define the western boundary with a 3.5m high wall defining the eastern boundary of the site. The site falls towards its centre.

**Planning Assessment of Policy and other Material Considerations**

<table>
<thead>
<tr>
<th>3.0</th>
<th>Planning History</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
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**4.0 Policy Framework**

<table>
<thead>
<tr>
<th>4.1</th>
<th>Belfast Urban Area Plan</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Draft Belfast Metropolitan Area Plan 2015</td>
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<table>
<thead>
<tr>
<th>4.2</th>
<th>Strategic Planning Policy Statement for Northern Ireland</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Planning Policy Statement 3 - Access, Movement and Parking</td>
</tr>
<tr>
<td></td>
<td>Planning Policy Statement 4 – Planning and Economic Development</td>
</tr>
<tr>
<td></td>
<td>Planning Policy Statement 8 – Open Space, Sport and Outdoor Recreation Residential Areas.</td>
</tr>
</tbody>
</table>

**5.0 Statutory Consultees**

- Transport NI – further info requested
- WaterNI – No objections
- NIEA – No objections subject to conditions

**6.0 Non-Statutory Consultees**

- Environmental Health BCC – No objection subject to conditions

**7.0 Representations**

A total of ten letters of objection have been received, as well as one letter of support. The following issues have been raised:

- Lack of communication around building site conditions
- Impact of demolition works, damage to property
- Increased traffic, particularly during construction phase
- Existing gate beside the two houses on Pim Street to be used to access a 20 space car park.
- Plans state Pim Street not widely used. This is not accurate and street experiences significant traffic problems.
- Problems created by closure of Dawson Street access points and reliance on Pim Street as only secondary access point. Plus problems with moving Pim Street access further along the street.
- ‘The report’ doesn’t account for pupils travelling from Carrick Hill or St. James’ areas. It also states that pupils in the locality walk to school but this is not the case.
- Limited information on site traffic and how it will be managed/ access used
- Loss of light from homes on Pim Street

**8.0 Other Material Considerations**

**9.0 Assessment**

The key issues in the assessment of the proposed development include:

- The acceptability of a replacement school on this site. Height, Scale and Design.
- Traffic and Parking
- Impact on Residential Amenity
- Contaminated Land
- Pre-application Community Consultation

**9.1 Principle of Redeveloping the Site & Height, Scale and Mass**

Following the recent Court of Appeal decision on BMAP, the extant development plan is now the BUAP. However, given the stage at which the Draft BMAP had reached pre-adoptions through a period of independent examination, the policies within the Draft BMAP still carry weight and are a material consideration in the determination of planning applications. The weight to be afforded is a matter of judgement for the decision maker.
The site is located within the development limits of Belfast within the Belfast Urban Area Plan and Draft Belfast Metropolitan Area Plan. The presumption is therefore in favour of development subject to the planning considerations detailed below. In the BUAP the southern portion of the site is zoned as a 'housing renewal area'. Within the latest version of Draft BMAP the site is unzoned whiteland.

The proposed built form respects the contours of the site and the fact there is a significant level change from the periphery of the site to its lower lying centre. The main bulk of the building is concentrated to the centre of the site with the built form tapering away to the two storey residential streetscape that surrounds the site.

**Traffic and Parking**

Details have been submitted in the form of an amended layout to satisfy TransportNI, who were consulted on 6th September 2017. A response remains outstanding. The proposed new main entrance to the school will be off Churchill Street in a similar location to the existing. Access to the main car park and drop off Parking will be via Churchill Street in the same location as the existing access. There will be no pedestrian access off Dawson Street. There should therefore be a reduction in traffic on Dawson Street. A small car park and pedestrian access will continue off Pim Street.

The provision of in-curtilage drop off parking should reduce the numbers of street drop offs on Churchill Street.

A total of 85 car parking spaces are to be provided - 65 spaces are provided in the main staff and visitor car park, 9 of which are designated as drop off. A further 20 spaces are provided in the car park off Pim Street. The existing school has a 16 space car park off Pim Street and similarly off Churchill Street providing a total of 32 spaces. There is therefore an increase in parking provision of 53 spaces.

**Impact on Residential Amenity**

Given the context of the site in what is a predominantly residential area there are a number of areas where the proximity of what is a substantial built form has the potential to impact on the amenity of neighbouring properties. Each of these areas will be addressed in turn:

Pim Street – There is a separation distance of approximately 7m from the gable of the nearest property on Pim Street to the proposed built form. The part of the school closest to this dwelling is single storey with a height of 3.5m to the eaves, with the roof sloping away from the dwelling. Because of this and the fact a 2.5m high wall is located along the boundary of the rear amenity area of this property there should be no significant loss of light from the rear of the property. The properties to the other side of Pim Street are located at least 14m from the nearest part of the proposed school building. The part of the building facing onto Pim Street has a maximum ridge height of 5m. The main bulk of the building, and its highest part, is located approximately 35m from the dwellings facing onto the site on Pim Street (as shown on Section C/C) and thus should not have a significant impact in terms of dominance, overshadowing or overlooking.

Antrim Road – A row of established trees are located along the western boundary of the site and separates the site from the terraced dwellings fronting onto Antrim Road. With a separation distance of at least 60 from the main building there will be no significant impact caused by the built form itself and any potential noise impact from the proposed playground should be nullified by the heavy planting along the boundary which is to be retained in the proposed 4m high landscaped embankment.

Churchill Street – A two storey block approximately 8.5m in height is located 5m from the nearest dwelling on Churchill Street and 1m from the curtilage of the property. Having said this
the existing building effectively wraps around the back of this dwelling, albeit it not as far forward on the site and thus does not enclose the side of the dwelling off as much. There will arguably be more of a loss of light from a southern direction, although the private amenity area will experience less enclosure from the rear as it does at the moment, so on balance it is considered that any additional loss of amenity/loss of light would not be significant.

9.11 Carlisle Terrace – a number of terraced dwellings are located gable onto the site to the east with rear gardens located parallel and at right angles to the 3.5m high wall which defines the eastern boundary of the site. It is arguably along this boundary where the greatest change will occur with the built form moving much closer to approximately 2m at its closest point, stepping back to approximately 10m. Having said this the built form steps down towards the boundary with the highest element standing at 9.5m, approximately 12m from the boundary, with the roof pitched towards the adjacent dwellings with a height of 6.5m to the eaves. The building steps down to the south-west corner with the element which sits closest to the neighbouring dwellings as low as 2m. Given this stepping down of the building there will be no unduly significant impact on the amenity of the adjacent properties, which are located to the other side of a 3.5m high stone wall. This stone wall not only screens the site but arguably has as much of an overbearing impact on the amenity of those dwellings closest to the site than the proposed building will have.

9.12 Contaminated Land
An Environmental Site Assessment and Generic Quantitative Risk Assessment (GQRA) has been provided by RSK Ireland Ltd in support of this application. Intrusive site investigations have been undertaken in support of the GQRA. No unacceptable risks have been identified from ground or groundwater contamination for the development.

9.13 Environmental Health and NIEA Land and Groundwater Team have no objections to the development provided conditions are placed on any Planning Decision Notice as recommended below at 11.2 – 11.4.

9.14 Pre-application Community Consultation
For applications that fall within the major category as prescribed in the Development Management Regulations, Section 27 of the Planning Act (NI) 2011 places a statutory duty on applicant for planning permission to consult the community in advance of submitting an application.

Section 27 also requires that a prospective applicant, prior to submitting a major applications must give notice, known as a ‘Proposal of Application Notice’ (PAN) that an application for planning permission for the development is to be submitted. A PAN (LA04/2016/0332/PAN) was submitted to the Council on 6th May 2016.

Where pre-application community consultation has been required and a PAN has been submitted at least 12 weeks in advance of the application being submitted, the applicant must prepare a pre-application community consultation report to accompany the planning application.

A Pre Application Community Consultation Report (October 2016) has been submitted in support of this application. The Report has confirmed the following:

The Public Events took place in the junior assembly hall of St. Patricks Primary School on Thursday 9th June 2016. This event was advertised in the Belfast Telegraph on 16th June 2016. A consultation leaflet was issued directly to 638 residences in close proximity to the site and to the pupils of the school to take home to their parents and guardians.

A press notice was advertised in the North Belfast News on 2nd June 2016 and The Irish News on 9th June 2016. The PAN notice was circulated to elected representatives including
Councillors for the Oldpark DEA and North Belfast MLAs.

Face to face meetings were held with representatives from North Belfast Assembly Constituency, North Belfast Westminster Constituency, Belfast City Council Area and the Court and Oldpark District Electoral Areas. All local Councillors were also informed of the public exhibition event.

A total of 29 people attended the public exhibition. Feedback was left on the feedback form by 11 people who attended the public exhibition, with one person leaving feedback via email. The Pre-app Community Consultation report stated the majority of comments supported the proposal but issues were raised including the impact of construction works, traffic and parking, and ground conditions. In response to these concerns some minor changes were made to the final layout.

Consideration of objections:

- **Lack of communication around building site conditions**
  - This is something that is out of the control of the planning office. All works should be carried out in such a way as to ensure there is no undue level of disturbance or disruption to neighbouring properties.

- **Impact of demolition works**
  - The onus will be on the developer to ensure that adjacent properties suffer no loss of amenity as a result of the proposed demolition works.

- **Increased traffic, particularly during construction phase/ Limited information on site traffic and how it will be managed/ access used**
  - TransportNI have expressed no major objections to the proposal. A final response remains outstanding further to an amended layout being submitted to address initial concerns. Construction traffic would inevitably be a short-term issue.

- **Existing gate beside the two houses on Pim Street to be used to access a 20 space car park.**
  - This access is to be removed as shown on proposed site layout plan.

- **Plans state Pim Street not widely used. This is not accurate and street experiences significant traffic problems.**
  - The main access is now shown off Churchill Street with a pedestrian access off Pim Street, as well as a staff car park. The main car park has been increased in size with the drop off area off Churchill Street, with an additional 53 spaces being provided.

- **Problems created by closure of Dawson Street access points and reliance on Pim Street as only secondary access point. Plus problems with moving Pim Street access further along the street.**
  - As stated above the main vehicular access to the drop off parking is off Churchill Street. TransportNI response remains outstanding. The increased level of parking, along with the designated drop-off area should alleviate much of the apparent on-street traffic problems.

- **The report’ doesn’t account for pupils travelling from Carrick Hill or St. James’ areas. It also states that pupils in the locality walk to school but this is not the case.**
  - A TransportNI response is outstanding. An additional 53 spaces are being provided along with a drop-off area. This should make a significant improvement to the traffic flow at peak times and the apparent level of congestion experienced on the streets around the two school sites at present.

- **Loss of light from homes on Pim Street**
  - With a separation distance of approximately 7m from the gable of the nearest property on Pim Street, and the fact a 2.5m high wall is located along the boundary of the rear amenity area, and the part of the school closest to this dwelling is single storey with a height of 3.5m to the eaves, there should be no significant loss of light from the rear of the property. The properties to the other side of Pim Street are located at least 14m
from the nearest part of the proposed school building. The part of the building facing onto Pim Street is limited to approximately 2 storeys in height (5m ridge height). The main bulk of the building, and its highest part, is located approximately 35m from the dwellings facing onto the site from Pim Street (as shown on Section C/C).

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<tr>
<th>10.0</th>
<th><strong>Summary of Recommendation:</strong> Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1</td>
<td>Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission should be approved for the following reason. The school will replace the existing school on site. The design respects the existing levels and addresses the neighbouring properties with the massing concentrated centrally with the height dropping towards the site boundaries.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11.0</th>
<th><strong>Conditions</strong></th>
</tr>
</thead>
</table>
| 11.1 | As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.  
**Reason:** Time Limit. |
| 11.2 | If during the development works, new contamination or risks are encountered which have not previously been identified, works should cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.  
**Reason:** Protection of environmental receptors to ensure the site is suitable for use. |
| 11.3 | All fuel storage tanks (and any associated boiler infra-structure) must be fully decommissioned and removed in line with current Pollution Prevention Guidance (PPG2, PPG27) and the quality of surrounding soils and groundwater has been verified. Should contamination be identified during this process, Conditions 1 and 3 will apply.  
**Reason:** Protection of environmental receptors to ensure the site is suitable for use. |
| 11.4 | After completing the remediation works under Conditions 1 and 2; and prior to occupation of the development, a verification report needs to be submitted in writing and agreed with Planning Authority. This report should be completed by competent persons in accordance with the Model Procedures for the Management of Land Contamination (CLR11).  
The verification report should present all the remediation and monitoring works undertaken and demonstrate the effectiveness of the works in managing all the risks and achieving the remedial objectives.  
**Reason:** Protection of environmental receptors to ensure the site is suitable for use. |

**Informatives:**  
The purpose of the Conditions 2 – 4 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.
The applicant should ensure that the management of all materials onto and off this site are suitably authorized through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

NIEA recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.

There is no indication on the plans of external lighting for the new school. Artificial lighting should be optically controlled and directed in such a manner as to minimise light pollution from glare and spill. Guidance notes for the reduction of obtrusive light may be obtained from the Institution of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire CV21 2DZ, available at http://www.britastro.org/dark-skies/pdfs/ile.pdf.

The applicant is advised to ensure that all plant and equipment used in connection with the new school is so situated, operated and maintained as to prevent the transmission of noise to nearby residential houses.

<table>
<thead>
<tr>
<th>Neighbour Notification Checked</th>
<th>Yes</th>
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</thead>
<tbody>
<tr>
<td>Signature(s)</td>
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<tr>
<th>12.0 Notification to Department (if relevant)</th>
<th>N/A</th>
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<tbody>
<tr>
<td>13.0 Representation from elected member</td>
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## ANNEX

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<th>Details of Neighbour Notification (all addresses)</th>
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<td>1 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ,</td>
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<td>Nuala Murray</td>
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<tr>
<td>Nuala Murray</td>
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<tr>
<td>26 Dawson Street, Town Parks, Belfast, Antrim, BT15 2BQ,</td>
</tr>
<tr>
<td>Robert Mc Kaig</td>
</tr>
<tr>
<td>26 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN,</td>
</tr>
<tr>
<td>Conor Lawlor</td>
</tr>
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<td>9-25 Pim Street, Town Parks, Belfast, Antrim, BT15 2BN</td>
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<td>Date of EIA Determination</td>
<td>8th November 2016</td>
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<tr>
<td>ES Requested</td>
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<td>Drawing Numbers and Title 01, 02/A, 03, 04, 05, 06, 07, 08</td>
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**Notification to Department (if relevant)**

Date of Notification to Department:
Response of Department:
## Summary

<table>
<thead>
<tr>
<th>Committee Meeting Date:</th>
<th>Item Number:</th>
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<tbody>
<tr>
<td>Application ID: LA04/2017/0986/F</td>
<td>Target Date:</td>
</tr>
<tr>
<td>Proposal: Change of use from single dwelling to house of multiple occupancy (HMO)</td>
<td>Location: 10 Ardenlee Green Belfast BT6 8QF</td>
</tr>
<tr>
<td><strong>Referral Route:</strong></td>
<td></td>
</tr>
<tr>
<td>Proposed House in Multiple Occupation outside a HMO Node as per the HMO Subject Plan.</td>
<td></td>
</tr>
<tr>
<td><strong>Recommendation:</strong></td>
<td>Approve</td>
</tr>
</tbody>
</table>

| Applicant Name and Address: Patrick Craig 79 Crossgar Road Saintfield BT24 7JQ | Agent Name and Address: |

### Executive Summary:
This application seeks full planning permission for a change of use from a single dwelling to a House In Multiple Occupation (HMO). The main issues to be considered in this case are:

- The principle of a HMO at this location; and
- Impact on surrounding residential amenity.

In terms of the principle - Policy HMO 5 permits for 10 percent of any street outside a HMO Policy Area or Development Node to be changed to HMO use. There are 11 residential properties on Ardenlee Green, this would allow for 1 HMO under Policy HMO 5 before the 10 percent threshold would be exceeded. Records indicate that this would be the first and only HMO to date in Ardenlee Green and is therefore acceptable in principle.

There is no anticipated impact on the visual amenity and character of the area given that no external changes are proposed.

No third party representations have been received.

### Consultees
TransportNI and Environmental Health have raised no objections

### Recommendation
Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is approved.
Consultations:

<table>
<thead>
<tr>
<th>Consultation Type</th>
<th>Consultee</th>
<th>Response</th>
</tr>
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<tbody>
<tr>
<td>Non Statutory</td>
<td>Transport NI - Hydebank</td>
<td>No Objections</td>
</tr>
<tr>
<td>Non Statutory</td>
<td>Env Health Belfast City Council</td>
<td>No Objections</td>
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Representations:

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<th>Letters of Support</th>
<th>None Received</th>
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<tbody>
<tr>
<td>Letters of Objection</td>
<td>None Received</td>
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<tr>
<td>Number of Support Petitions and signatures</td>
<td>No Petitions Received</td>
</tr>
<tr>
<td>Number of Petitions of Objection and signatures</td>
<td>No Petitions Received</td>
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1.0 Description of Proposed Development

Proposal is for a change of use from a single dwelling to a House In Multiple Occupation (HMO).

2.0 Description of Site

The application site is a 4 bedroom, end-of-terrace townhouse. This has a small garden and a communal parking area to the front. A small rear yard is enclosed by a 2m close-boarded fence.

The surrounding area is characterised by high density residential buildings; mostly of a recent construction.

Planning Assessment of Policy and other Material Considerations

3.0 Site History

None relevant.
4.0 Policy Framework

4.1 Belfast Metropolitan Area Plan 2015
   HMO Subject Plan for Belfast City Council Area 2015

4.1.1 The site is on land zoned for housing EB 02/34 in the draft Belfast Metropolitan Area Plan (BMAP) 2015

4.2 SPPS, Planning Policy Statements:

   4.2.1 SPPS, Planning Policy Statements 1-24 specify
   4.2.2 Strategic Planning Policy Statement for NI (SPPS)
   4.2.3 Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
   4.2.4 Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015

5.0 Assessment

5.1 The proposal is within the development limits for Belfast as identified in the draft development plan (dBMAP 2015). As such the principle of the proposal is deemed acceptable at this location.

5.2 The application site is not within an HMO Policy Area or Development Node as designated in the HMO Subject Plan 2015.

5.3 Therefore, Policy HMO 5 is applicable in this instance.

5.4 Policy HMO 5 permits for 10 percent of any street outside a HMO Policy Area or Development Node to be changed to HMO use.

5.5 There are 11 residential properties on Ardenlee Green. Council records indicate that as of November 2004 there were no properties in HMO use on Ardenlee Green. The NIHE Public Register of HMOs (at 09/08/17) shows one registered HMO on Ardenlee Green – No. 10, which is the application site. A planning history check of Ardenlee Green indicates no approvals/decisions relating to HMO development or use.

5.6 In relation to Policy HMO 6, all the criteria are either met or are not relevant in this instance. The HMO unit is not within a Policy Area; The HMO unit is not wholly in the rear of the property and without access to the public street; and the original property (house) is not being converted to flats for HMO use (third and fourth bullet points). The proposal meets all of the relevant criteria in this instance.

5.7 The SPPS is relevant given the perceived impact of HMO development on amenity and parking within the locality. This is concerned with impact on amenity such as noise, nuisance and disturbance; and impact on road safety and traffic circulation.

5.8 Environmental Health was consulted and has no concerns regarding potential for noise. If persistent noise does occur then Belfast City Council’s Environmental Health Services Department is the statutory authority and has mechanisms that can be put in place to prevent further disturbance.

5.9 The proposed conversion will result in 4 bedroom HMO. In terms of car parking/impact on existing traffic arrangements, the various policy requirements of 'Subject Plan' seek to encourage regeneration, address need and demand, and also protect residential

Page 167
5.10 amenity, but it is noted that the provision of car parking is not a requirement of the assessment process. Equally, existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development. TransportNI has been consulted and have no objections to this proposal.

5.11 No operational development is proposed and therefore existing amenity space provision is unaffected.

5.11 There is no anticipated impact on the visual amenity and character of the area given that no external changes are proposed.

5.3 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.

6.0 Summary of Recommendation:

The proposal complies with the relevant planning policy and therefore approval is recommended.

7.0 Conditions:

7.1 As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

ANNEX

<table>
<thead>
<tr>
<th>Date Valid</th>
<th>25th May 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date First Advertised</td>
<td>9th June 2017</td>
</tr>
<tr>
<td>Date Last Advertised</td>
<td>N/A</td>
</tr>
<tr>
<td>Date of Last Neighbour Notification</td>
<td>9th June 2017</td>
</tr>
<tr>
<td>Date of EIA Determination</td>
<td>N/A</td>
</tr>
<tr>
<td>ES Requested</td>
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</tr>
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</table>
### Planning History

**Ref ID: LA04/2017/0986/F**  
Proposal: Change of use from single dwelling to house of multiple occupancy (HMO)  
Address: 10 Ardenlee Green, Belfast, BT6 8QF,  
Decision:  
Decision Date:

**Ref ID: Z/1994/0453**  
Proposal: Business Park and Factory Warehousing  
Address: RAVENHILL ROAD/FEDERATION STREET/MILLAR STREET BELFAST BT6  
Decision:  
Decision Date:

**Ref ID: Z/1996/0121**  
Proposal: Housing development (Outline Permission)  
Address: 336 RAVENHILL ROAD BELFAST BT6  
Decision:  
Decision Date:

### Drawing Numbers and Title

<table>
<thead>
<tr>
<th>Drawing No.</th>
<th>Type</th>
<th>Status</th>
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<tbody>
<tr>
<td>01</td>
<td>Site location plan</td>
<td>Submitted</td>
</tr>
<tr>
<td>02</td>
<td>Existing floor plan</td>
<td>Submitted</td>
</tr>
<tr>
<td>03</td>
<td>Proposed floor plan</td>
<td>Submitted</td>
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</tbody>
</table>

### Representations from Elected Members:

None
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Development Management Officer Report  
Committee Application

<table>
<thead>
<tr>
<th>Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Committee Meeting Date:</strong></td>
</tr>
<tr>
<td><strong>Application ID:</strong> LA04/2017/1609/F</td>
</tr>
<tr>
<td><strong>Proposal:</strong> Change of use from residential to HMO</td>
</tr>
</tbody>
</table>

**Referral Route:**
Proposed House in Multiple Occupation outside a HMO Node as per the HMO Subject Plan

**Recommendation:** Approve

**Executive Summary:**
This application seeks full planning permission for a change of use from a single dwelling to a House In Multiple Occupation (HMO). The main issues to be considered in this case are:

- The principle of a HMO at this location; and
- Impact on surrounding residential amenity.

In terms of the principle - Policy HMO 5 permits for 10 percent of any street outside a HMO Policy Area or Development Node to be changed to HMO use.

There are 24 residential properties on Cricklewood Crescent. Therefore the policy would allow for 2no HMOs on Cricklewood Crescent before the 10 percent threshold would be exceeded.

Records indicate that this would be the first and only HMO to date in Cricklewood Crescent and is therefore acceptable.

16no third party representations have been received raising issues including:

Precedent, impact on amenity, anti social behaviour, noise, nuisance, contrary to Policy
All matters raised are dealt with in the case officer report below.

Consultees
TransportNI and Environmental Health raise no objections.

Having regard to the development plan, regional planning policy and associated guidance, it is recommended that this application is approved.
Case Officer Report

Site Location Plan

<table>
<thead>
<tr>
<th>Consultation Type</th>
<th>Consultee</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Statutory</td>
<td>Transport NI - Hydebank</td>
<td>No objections</td>
</tr>
<tr>
<td>Non Statutory</td>
<td>Env Health Belfast City Council</td>
<td>No objections</td>
</tr>
<tr>
<td>Statutory</td>
<td>NI Water - Single Units East - Planning Consultations</td>
<td>No objections</td>
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</table>

Representations:

<table>
<thead>
<tr>
<th>Letters of Support</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Letters of Objection</td>
<td>16</td>
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<tr>
<td>Number of Support Petitions and signatures</td>
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</tr>
<tr>
<td>Number of Petitions of Objection and signatures</td>
<td>No Petitions Received</td>
</tr>
</tbody>
</table>

1.0 Description of Proposed Development

Proposal is for a change of use from a single dwelling to a House In Multiple Occupation (HMO).

2.0 Description of Site

The application site is a traditional 3 bed semi-detached dwelling. This has an ample sized rear garden. There is a small front garden and a driveway to the side leading to a detached garage. This is located within a cul-de-sac of similar dwellings.

The surrounding area is predominantly residential, characterised by low to medium density housing.

Planning Assessment of Policy and other Material Considerations
### 3.0 Site History

None relevant.

### 4.0 Policy Framework

#### 4.1 Belfast Metropolitan Area Plan 2015  
HMO Subject Plan for Belfast City Council Area 2015

- **4.1.1** The site is on unzoned whiteland in the draft Belfast Metropolitan Area Plan (BMAP) 2015

#### 4.2 SPPS, Planning Policy Statements:

- **4.2.1** SPPS, Planning Policy Statements 1-24 specify
- **4.2.2** Strategic Planning Policy Statement for NI (SPPS)
- **4.2.3** Planning Policy Statement 6: Planning, Archaeology and the Built Heritage
- **4.2.4** Houses in Multiple Occupation Subject Plan for Belfast City Council Area 2015

### 5.0 Representations

#### 5.1

16 no separate representations have been made in respect of this application. All of these are objections to the proposed HMO. The following concerns and points have been raised:

1. Site is outside a HMO Policy Area and Development Node as per the HMO Subject Plan and the Preferred Options Paper;
2. Preferred Option Paper acknowledges that detrimental impact of HMO’s greater in parts of south Belfast than elsewhere in the city;
3. Introduction of HMO would introduce students to the area and materially alter the character of the area in respect of the type of residents which is currently the elderly and young families;
4. Impact on car parking / traffic and road safety;
5. HMO as a regeneration tool is not applicable in this area;
6. Proposal contrary to HMO Subject Plan ‘strategy’ which aims to: a) focus HMO development in areas where it can contribute to regeneration; and b) promote appropriate development of purpose built student accommodation;
7. Precedent for further HMOs in Cricklewood Crescent;
8. Contrary to aims of the Preferred Options Paper;
9. Excessive noise and disturbance and anti-social behaviour;
10. How will the extra refuse created by the additional tenants be disposed of and will there be additional bin storage space;
11. Detrimental impact on a nearby primary school as young families will avoid the area in the future;
12. Proposal contrary to LP6 of the Preferred Options Paper which will seek to pro-actively manage the future supply of HMOs; and
13. Not all residents in Cricklewood Crescent did not receive a notification letter.

All of the above points are material planning considerations and will be addressed in the assessment below. Reference to the Preferred Options Paper (POP) is duly noted and it needs to be explained at the outset that this is not a policy document. The Preferred Options Paper merely sets out the strategic approach to some of the key issues for the
development of Belfast. This is the first stage of the plan-making process and is part of an ongoing consultation process. It does not carry any significant weight in planning application decisions. Prematurity is only relevant where an LDP is near its adoption stage.

<table>
<thead>
<tr>
<th>6.0 Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.1 The proposal is within the development limits for Belfast as identified in the draft development plan (dBMAP 2015). As such the principle of the proposal is deemed acceptable at this location.</td>
</tr>
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<td>6.2 The application site is not within an HMO Policy Area or Development Node as designated in the HMO Subject Plan 2015.</td>
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<td>6.3 Therefore Policy HMO 5 is applicable in this instance.</td>
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<td>6.6 In relation to Policy HMO 6, all the criteria are either met or are not relevant in this instance. The HMO unit is not within a Policy Area; the HMO unit is not wholly in the rear of the property and without access to the public street; and the original property (house) is not being converted to flats for HMO use (third and fourth bullet points).</td>
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<tr>
<td>6.7 The SPPS is relevant given the perceived impact of HMO development on amenity and parking within the locality. This is concerned with impact on amenity such as noise, nuisance and disturbance; and impact on road safety and traffic circulation.</td>
</tr>
<tr>
<td>6.8 Environmental Health was consulted and has no concerns regarding potential for noise. If persistent and unacceptable noise levels do occur then Belfast City Council’s Environmental Health Services Department is the statutory authority for noise nuisance and has mechanisms that can be put in place to prevent further disturbance. The proposed conversion will result in 3 persons sharing the house together. It could reasonably be anticipated that this would not result in excessive noise or disturbance, no greater than a typical family home.</td>
</tr>
<tr>
<td>6.9 In terms of car parking/impact on existing traffic arrangements, the various policy requirements of 'Subject Plan' seek to encourage regeneration, address need and demand, and also protect residential amenity, but it is noted that the provision of car parking is not a requirement of the assessment process. Equally, existing Regional Planning Policy and supplementary planning guidance, including the published 'Parking Standards', do not incorporate car parking as a requirement for HMO development. TransportNI has been consulted and have no objections to this proposal.</td>
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<tr>
<td>6.10 No operational development is proposed and therefore existing amenity space provision is unaffected.</td>
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</table>
6.11 There is no anticipated impact on the visual amenity and character of the area given that no external changes are proposed.

7.0 Precedent

7.1 Neighbours have raised concerns regarding the impact of the proposal on the character of the area by changing it from an established residential area with families and the elderly to a transient population. However, Policy HMO 5 of the Subject Plan only permits a 10% change of use of dwellings into a HMO in areas outside HMO Policy Areas and Development Nodes. Cricklewood Crescent consists of 24 dwellings. Under this policy only one more HMO can be permitted before the 10% has been reached. Two HMOs will not affect the overall character of the street in respect of its population trend.

7.2 The amplification of Policy HMO 5 states that it is designed to protect the amenity of residential areas and promote balanced communities.

8.0 Refuse Provision

5.5.1 A resident has raised a query regarding a perceived increase in the need for additional refuse storage provision and collection. There are no policy requirements for such where the change of use is for one HMO from one dwelling house. The property will still be one single residential unit. The existing arrangements for refuse storage and collection are therefore adequate.

9.0 Neighbour Notification

5.6.1 Several representations made have outlined that they did not receive a neighbour notification letter.

5.6.2 The formal arrangements for notifying neighbouring properties is published in the Department of Infrastructure’s document Development Management Practice Note 14 (DMPN 14) ‘Publicity Arrangements and Neighbour Notification’. This states that in line with Article 8(2) of the Planning (General Development Procedure) Order (NI) 2015 (GDPO) the relevant council is required to serve notice on neighbouring land. Neighbouring land is defined by DMPN 14 as land which directly adjoins the application site or which adjoin it but for an entry road less than 20m in width.

5.6.3 The council is satisfied that the neighbour notification process was carried out in accordance with Article 8(2) of the GDPO.

10.0 Summary of Recommendation

10.1 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and planning permission is recommended subject to conditions.

11.0 Conditions:

11.1 As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.
<table>
<thead>
<tr>
<th><strong>ANNEX</strong></th>
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<tr>
<td><strong>Date of Last Neighbour Notification</strong></td>
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<td><strong>Planning History</strong></td>
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<td>Drawing No. 01</td>
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<td>Drawing No. 02</td>
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<tr>
<td><strong>Representations from Elected Members :</strong></td>
</tr>
</tbody>
</table>
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## Development Management Officer Report

### Committee Application

### Committee Meeting Date:

### Item Number:

### Application ID: LA04/2016/2205/F

### Target Date:

### Proposal:

Erection of dwelling.

### Location:

To the west and rear of 2 Knockdarragh Park
Belfast
BT4 2LE.

### Referral Route:

Request for referral to the Planning Committee under Section 3.8.1 of the Scheme of Delegation.

### Recommendation:

Approval subject to conditions

### Applicant Name and Address:

Walker Investments Ltd
17 Craigboy Road
Donaghadee
BT21 0LP

### Agent Name and Address:

Architects Knox & Markwell
14 Donaghadee Road
Bangor
BT20 5RU

### Executive Summary:

Full planning permission is sought for the erection of one dwelling house. This will be a chalet bungalow.

The key issues in the assessment of this proposed development include:

- Principle of residential development at this site
- Impact on neighbouring land use
- Design, Character, Appearance of Area and Amenity
- Traffic and parking issues

The application site is within the development limits for Belfast and is unzoned whiteland in the draft Belfast Metropolitan Plan.

The application site is a backland plot that had a planning approval for a two-storey dwelling on the date of submission of this application but which has now expired. This approval was part of an overall scheme for 8 dwellings (ref. Z/2010/0187/F). However, this permission was never implemented and part of the lands that had formed part of this application have since been redeveloped under a separate approval for 7 dwellings (ref. Z/2014/0699/F) which would have prevented the full implementation of the 2010 permission.

Consultees Environmental Health, Transport NI, and the Tree Officer have no objections in principle to the proposal.

18 letters of objection have been received in respect of the proposal from 9 separate members of the public. The concerns raised by third parties are summarised in the main body of this report.

Having had regard to the development plan, relevant planning policies and other material considerations including previous planning history on the site, it is recommended that this proposal is granted planning permission subject to conditions.
## Case Officer Report

**Site Location Plan**

<table>
<thead>
<tr>
<th>Representations:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Letters of Support</td>
<td>None Received</td>
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<tr>
<td>Letters of Objection</td>
<td>18</td>
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<tr>
<td>Number of Petitions of Objection and signatures</td>
<td>No Petitions Received</td>
</tr>
</tbody>
</table>
## Characteristics of the Site and Area

### 1.0 Description of Proposed Development

1.1 Full planning permission is sought for the construction of a chalet bungalow.

### 2.0 Description of Site

2.1 The application site is a vacant backland plot that was originally part of 348 Belmont Road prior to the latter’s redevelopment for 7 dwellings. The site is enclosed on three sides by the gardens of existing dwellings and an access lane that serves the rear of dwellings at 344 and 348 Belmont Road as well as two backland properties to the rear of Knockdarragh Park. Access to the site is via this lane from Knockdarragh Park. The boundaries of the site are defined by close-boarded timber fences on its east and south sides and mature hedges and trees to its west and north sides. Levels on the site are relatively flat.

2.2 The immediate vicinity is an established residential area, characterised by large detached and semi-detached dwellings on mature and generous plots. There is an eclectic mix of architectural designs in the area and no single prevailing style.

## Planning Assessment of Policy and other Material Considerations

### 3.0 Site History

LA04/2016/1590/F - Demolition of existing detached garage. New single storey side extension, new rear first floor extension above existing return and new single storey rear extension. 2 Knockdarragh Park - Approval.

Z/2014/0699/F - Demolition of existing dwelling and erection of 6 semi-detached dwellings and 1 detached dwelling. 348 Belmont Road. Approval.


### 4.0 Policy Framework

4.1 Draft Belfast Metropolitan Area Plan 2015

Belfast Urban Area Plan 2001

4.1.1 The site is within the development limits for Belfast and on unzoned whiteland in the draft Belfast Metropolitan Plan 2015

4.2 Strategic Planning Policy Statement for NI (SPPS)

Planning Policy Statement 3 - Access, Movement and Parking

Planning Policy Statement 7 - Quality Residential Environments

Planning Policy Statement 12 – Housing in Settlements

Addendum to Planning Policy Statement 7: Safeguarding the Character of Established Residential Areas.

### 4.3 Statutory Consultee
<table>
<thead>
<tr>
<th>4.4</th>
<th>Non Statutory Consultee Responses:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Belfast City Council Environmental Health – No objection.</td>
</tr>
<tr>
<td></td>
<td>• Belfast City Council Tree Officer – advised the proximity of only tree on the site to the proposed dwelling is too close and will likely need to be felled.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.5</th>
<th>Planning Guidance:</th>
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<tbody>
<tr>
<td></td>
<td>• Supplementary Planning Guidance – Creating Places</td>
</tr>
<tr>
<td></td>
<td>• Supplementary Planning Guidance – Parking Standards</td>
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<tr>
<td></td>
<td>• DCAN 8 – Housing in Existing Urban Areas</td>
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<tr>
<td></td>
<td>• DCAN 15 – Vehicular Access Standards</td>
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<table>
<thead>
<tr>
<th>5.0</th>
<th>Representations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
<td>Adjoining properties were consulted as part of the neighbour notification scheme and 9 third party representations have been made. These are summarised as follows:</td>
</tr>
</tbody>
</table>

1. Previous planning approval ref. Z/2010/0187/F has lapsed and as such carries no weight in the determination of this application;  
2. The above planning permission was decided by a different planning authority and is an example of an extremely poor planning decision which should not set a precedent for another equally poor decision;  
3. PAC state in their determination of appeal refs. 2016/A0023 and 2016/A0081 that the council as a new authority is entitled to distance itself from the decisions of central government and as such is not bound by the decisions of the department;  
4. The granting and implementation of an extension at number 2 Knockdarragh Park (LA04/2016/1590/F) in the interim has materially altered the situation on the ground;  
5. The developer owned number 2 Knockdarragh Park at the time of the 2010 application which should be accorded significant planning weight in determining this application;  
6. Plot size to footprint ratio is less than the average for the area and therefore overdevelopment;  
7. Proposed plot size for backland development fails to comply with DCAN 8 in respect of depth;  
8. Form is out of character for this area;  
9. Position of dwelling fails to adhere to published guidance in Creating Places in that it fronts onto the rear of an existing dwelling;  
10. Overlooking;  
11. Blank gable wall directly to the rear of new development at number 2 Knockdarragh (AKA 350 Belmont Road). This will result in over-dominance and impact outlook of the existing dwellings;  
12. Proximity of proposed car parking, which is immediately to the rear of number 2 Knockdarragh Park will impact residential amenity by way of nuisance.  
13. Q12 of the P1 Form is incorrect – the existing access is considered to be contrary to the plans which show widening of the laneway and relocation of access gates;  
14. Minimum width of 3.75m as outlined in DCAN 15 cannot be achieved and access gates will not be able to be erected as per the plans;  
15. Plans show an access with of 4.1m; however, on site this is 3.9m;  
16. No legal right of way over proposed use of access lane;  
17. Applicant has no control over shared access lane and cannot achieve the width...
required for the access without gaining control of third party lands while Notice has not been served on any of the relevant third parties with an interest in the said lands;

18. The hedges along the access lane are in ‘third party control’. How will the applicant maintain these to prevent the width of the lane becoming substandard?

19. Ambiguity over the submission of Certificate D with the P1 Form on this application whilst Certificate A was signed on the 2010 application, raising doubt over the validity of the 2010 permission;

20. Impact on light on adjoining properties;

21. The proposed site will be overlooked on three sides by existing properties;

22. Impact on access lane of additional traffic, especially during construction works and that this will prevent emergency services, etc.; and

23. Distance between the front of the proposal and the rear of 2 Knockdarragh Park is 20m approx. and not 25m as stated by the agent acting on behalf of the applicant;

24. Noise during the construction phase;

25. The proposal will be 12m distance from the back wall of No.2 Knockdarragh Park;

26. Insufficient private amenity space;

27. Existing tree will overshadow proposed dwelling;

28. Tree is on lands that is not in the ownership of the applicant;

29. Bedroom windows are low level and will result in poor outlook for the proposal; and

30. Proposed 2m fence along south boundary contrary to conditions for 1.8m fence along same boundary as per planning approval ref. Z/2014/0699/F.

5.2 Rebuttal to Third Party Comments

5.2.1 In respect of the point No. 1, the planning history is a material consideration regardless if it is extant or expired. A detailed assessment of the history of the site will be considered in the main body of this report.

5.2.2 Regarding points No.2 and No. 3, it is acknowledged that the PAC has outlined that the council, as a separate planning authority, is entitled to distance itself from the decisions of central government and is not bound by the decisions of the department. However, it is also duly acknowledged that the PAC has made this comment in a single commissioner decision and should not be construed as generic policy.

5.2.3 In rebuttal to Point No.5, the case officer contends that regardless of the ownership of Number 2 Knockdarragh Park, the planning authority at the time had a duty to protect the amenity of present and future occupiers of all existing neighbouring properties. The fact that this the said dwelling is no longer in the ownership of the applicant is non-material.

5.2.4 In respect of No.13, the case officer is satisfied that Q12 of the Form P1 has been answered correctly; the existing access to the road will not be altered as part of this proposal. Any works to the lane itself is not tantamount to altering the existing access.

5.2.5 Point No. 14, which refers to width standards in DCAN 15. TransportNI has assessed the scheme and is content with the proposed access arrangements.

5.2.6 Points numbered 15 – 19 are all concerned with ownership of the shared lane. The applicant’s agent was asked to comment on this and confirmed that they have carried
out ‘extensive investigation in attempting to trace the landowner of the laneway, to determine ownership, which to date has not been possible.’ None of the owners of the other properties that share the lane have come forward to claim ownership. In addition to this an advertisement was placed in the Belfast Telegraph on 8 October 2016 prior to lodging the planning application. No third party has come forward with proof to the contrary that the lane has no legal owner. There are no other reasons or information to dispute that the correct the Certificate of ownership on the planning application form (Form P1) has not been signed. Section 42 of the Planning (NI) Act 2011 is therefore considered to have been complied with and the application is deemed to be valid. The agent has measured the width of the lane and is adamant that it is as per the drawings. Any remaining debate regarding the legal boundaries of the access lane are a civil matter.

The debate regarding the ownership of the land to where the tree is located is also a civil matter. The tree is located on the common boundary and is depicted within the redline boundary of the application site. This tree is not protected and therefore it is not a planning issue unless its retention is required for amenity purposes.

In respect of point No.30, the proposed fence is within the curtilage of the application site and as such will not be affected by conditions of planning permissions of adjoining land.

The remaining points are material planning considerations and will be addressed in the main assessment, below.

### 6.0 Assessment

#### 6.1 Layout:
The proposed dwelling will be orientated on the site to face east, directly towards the rear of number 2 Knockdarragh Park. The entire south boundary of the site abuts the rear garden spaces of dwellings at 348-354 Belmont Road; the result is potential for the application site to be overlooked by 4 dwellings. It is acknowledged that paragraph 7.12 of Creating Places states that layouts that include dwellings that face onto the rear garden spaces of other dwellings should be avoided.

#### 6.2 Outlook:
The outlook from the front will be towards the rear of dwellings No.2 and 2c Knockdarragh Park. Paragraph 7.11 of Creating Places states that dwellings should be designed to present an attractive outlook onto existing and proposed roads. However, given that policy also allows for backland development it would be unrealistic to expect it to front onto a public road.

#### 6.3 Density:
The overall plot size is average when compared to the adjoining development of 7 dwellings at 348 Belmont Road and 2 Knockdarragh Park; however, the overall average plot size in the area beyond this is significantly larger. Due to the proximity of the new development at 348 Belmont Road the proposed density is not considered to be significantly larger than that found in the established residential area. Policy LC 1(a) of aPPS 7 is considered to be adhered to.

#### 6.4 The proposal also conforms to criterion (c) of Policy LC 1 in respect of internal size standards.

#### 6.5 Amenity Space:
The private open space provision exceeds the standards contained within relevant
| 6.6 | guidance such as Creating Places. This recommends around 70sqm or greater behind the building line. Sufficient amenity space to the front of the dwelling will also be provided including space for incurtilage car parking. This is also compliant with relevant parts of criteria (c), (e) and (f) of Policy QD 1 of PPS 7. |
| 6.7 | **Pattern of Development:** There are two existing dwellings to the rear of Belmont Road / Knockdarragh Park. The proposal is therefore not totally out of character by being the only backland development in the area. However, these existing dwellings are lower density being bungalows on significantly larger plots than the proposal. |
| 6.8 | DCAN 8 states that a fundamental requirement for successful backland development is for the backland plot to be of sufficient depth to accommodate new housing in a way which provides quality residential environment for new and existing residents. Plots of less than 80m depth is unlikely to acceptable, except where the existing urban grain is very urban in character and where careful design can overcome concerns of overlooking and day lighting. The plot depth of the application site is 28m at its deepest point. However, it should be acknowledged that the existing two backland dwellings opposite the site are both on plots with a depth that is significantly less than 80m and their relationship with surrounding properties is harmonious. The urban grain of the surrounding area, when the new development at 348 Belmont factored in, is urban in character with dwellings in close proximity to each other on narrow plots. |
| 6.9 | The proposal will face directly onto the rear of No.2 Knockdarragh Park. However, this is at a distance of 20m approx. Creating Places states at paragraph 7.16 that, in cases where the development abuts the private garden areas of existing properties, a separation distance of 20m will generally be appropriate to minimise overlooking, with a minimum of around 10m between new houses and the common boundary. The distance between the dwelling and the common boundary with No. 2 Knockdarragh Park exceeds 10m, again adhering to guidance in Creating Places. This distance has been measured with consideration of a recently constructed extension to the rear of No. 2 Knockdarragh Park. |
| 6.10 | The relationship between the proposal and the existing dwellings at numbers 348-354 Belmont Road is less harmonious: No. 350 will be exposed to a 6.8m tall blank elevation at a distance of 1m approx. from the common boundary and a distance of 12m to the closest point on their rear elevation. However, this pattern of development is not completely at odds with the urban grain established in the area; the corner site of the Belmont Road development faces directly on to the side gable of No.354 Belmont Road at a distance of under 4m from building-to-building. Criterion (b) of Policy LC 1 is considered been met in this case. |
| 6.11 | The proximity of this gable to No. 350 Belmont Road will not create conflict will this adjacent property by way of over-dominance due to the height to distance ratio (6.8 :12m). Criterion (h) of Policy QD 1 of PPS 7 is considered to be met. |
| 6.12 | The proposal is considered to adhere with Planning Control Principle 1 of PPS12 in that the layout respects the amenity of adjacent housing. |
| 6.13 | **Access and Car Parking Provision:** Off street car parking is proposed and access is via an existing lane. TNI is content that this is of an acceptable standard. The proposal meets criterion (c) of Policy QD 1 of PPS 7 and also Policy AMP 7 of PPS 3 and adheres to advice in DCAN 15. |
| **Design of Dwelling:** |
6.13 The proposal’s form, scale and massing conforms to the prevalent style in this area. The proposal meets criteria (a) and (g) of Policy QD 1 of PPS 7; and also adheres to supplementary guidance outlined in DCAN 8, paragraph 5.7.

**Outlook:**

6.14 The outlook from the ground floor is acceptable. A neighbour has queried the acceptability of the outlook from the attic rooms due to the low level of the roof light windows. The windows are deliberately low level to comply with building control regulations. There is no policy provision that dictates as to the level of windows provided the outlook is attractive.

**Overlooking:**

6.15 Due to a separation distance of 20m to the rear elevation of the closest neighbour directly opposite the front elevation; and a 10m gap to the common boundary, potential for overlooking to an unacceptable degree will be sufficiently reduced. The orientation of the proposal will prevent direct overlooking into any other neighbouring property.

**Overshadowing:**

6.16 Despite the proximity of the proposal to the rear of dwellings at No’s 348-354 Belmont Road, the orientation of the development will ensure that no neighbouring property’s amenity will be harmed by overshadowing from the development. The dwellings along the east boundary are at a sufficient distance to ensure they will not be impacted by overshadowing.

6.17 The proposal is compliant with criterion (h) of Policy QD 1 insofar that it will not result in any unacceptable overlooking and overshadowing.

**Landscaping:**

6.18 A mix of soft and hard landscaping is proposed. This consists of grass lawns and percolating paving. Existing hedges and a mature fir tree and to the west of the site are to be retained.

6.19 However, the council’s internal tree officer has stated that should the proposed building be erected in the location specified, it may result in a detrimental impact upon the existing tree due to the proximity. The distance from the trunk to the sunroom is 5m.

6.20 The tree officer concluded that the existing tree has partial dieback within the crown, which may be an indicator that the tree is beginning to decline in health. It also has a one sided crown, thus heavier weight on the side closest to the proposed development. It would not meet the criteria to apply a future TPO.

6.21 The tree officer recommends that the tree is felled and the boundary is replanted, if required, with an appropriate tree species such as Silver Birch / Rowan, extra heavy standard. This can be achieved via a condition if planning permission is granted.

6.22 The loss of the tree will not result in any further overlooking issues as the attic windows to the rear of the proposal are roof lights from which overlooking will be limited. The existing hedge will be retained which will also help to mitigate the impact of the proposal on number 346 Belmont Road.

**PPS 12:**

6.23 The proposal is considered to adhere with Planning Control Principle 1 of PPS12 in that the layout respects the amenity of adjacent housing.

**Other Material Considerations:**
6.24 The planning history on this site is significant. Planning permission ref. Z/2010/0187/F was for 8 number dwellings, one of which was in the same location as the proposal. This expired on 18 October 2016 and was therefore live on 12 October 2016 when this application was submitted as valid. However, this had already been succeeded by an amended permission (Z/2014/0699/F) that has been fully implemented. This permission omitted the dwelling on the current application site in addition to several other design and layout changes. As such, the 2010 permission could not have been implemented, however, the 2010 permission is still significant as the policy context has not changed in the intervening period since that application was approved.

6.25 In addition to the above, the proposal does not sit on all fours with the planning history in respect of its relationship with the rest of the development of 7 dwellings at 348 Belmont Road. When measured via the actual approved plans under ref. Z/2014/0699/F, the rear elevation of the dwelling at 350 Belmont Road is 15.4m approx. from the side gable wall of the proposed dwelling. This distance is 13.75m approx. when measured on the planning approval ref. Z/2010/0187/F. This is excluding a single storey extension to the rear of both. Also, another mitigating factor is that the development as built on site is 3 storey at the rear compared to a 2 storey 2010 approval. Both of these differences will serve to lessen the impact of the proposal compared to the 2010 approval.

6.26 In addition to the above, the landscaping of the approved development has not been fully implemented as per the plans. If this is implemented then it will soften the impact of the proposal.

7.0 Recommendation

7.1 Having regard to the policy context and other material considerations above, the proposal is considered acceptable and the Planning Committee is asked to give the Director of Planning and Place delegated authority to approve the application subject to the following conditions:

8.0 Conditions

8.1 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

8.2 Notwithstanding the provisions of the Planning (General Permitted Development) Order (Northern Ireland) 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, sheds, outbuildings, or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the site.

8.3 The development hereby permitted shall not be occupied until the vehicular access has been constructed in accordance with Drawing No.05B bearing the date received stamp Belfast Planning Service 01 August 2017. This access shall be permanently retained thereafter.
<table>
<thead>
<tr>
<th>Section</th>
<th>Reason</th>
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<tbody>
<tr>
<td>8.4</td>
<td>To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users. The dwelling shall not be occupied until hard surfaced areas have been constructed in accordance with Drawing No. 05B bearing the date received stamp Belfast Planning Service 01 August 2017, to provide adequate facilities for parking within the site. These hard surfaces shall be permanently retained thereafter. No part of these hard surfaced areas shall be used for any purpose at any time other than for the parking and movement of vehicles.</td>
</tr>
<tr>
<td>8.5</td>
<td>All soft landscape works shall be completed in accordance with the approved plan No. 04B, date received stamp Belfast Planning Service 01 August 2017 and the appropriate British Standard or other recognised Codes of Practise. The works shall be carried out within the first planting season after occupation of the dwelling hereby approved and be permanently retained thereafter.</td>
</tr>
<tr>
<td>8.6</td>
<td>The existing tree and hedges on the site as shown on stamped approved drawing Number 04B, date stamped received 01 August, shall be permanently retained. No works shall be carried out to the retained tree unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.</td>
</tr>
<tr>
<td>8.7</td>
<td>No equipment, machinery or materials are to be brought on the site for the purpose of the development including demolition and site clearance until all trees and hedges to be retained have been protected by fences or other suitable means of enclosure as per recommendations of BS 5837 'Trees in relation to design, demolition and construction' 2012 section 6.2 (or equivalent British Standard current at time of works). Within the fenced area no activities associated with building operations shall take place, and the ground levels within those areas shall not be altered. All means of protection shall be retained in situ for the duration of the development.</td>
</tr>
<tr>
<td>8.8</td>
<td>If any retained tree or hedge is removed, uprooted or destroyed or dies within 3 years from the date of the occupation of the building for its permitted use another tree or trees shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified by the Council.</td>
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</table>

Prior to the occupation of the development hereby approved, the two windows at...
8.9 ground floor level on the north west elevation as depicted on stamped approved
drawing number 07B, date received stamp Belfast Planning Service 01 August 2017,
shall be fitted with obscure glass. This glass shall be permanently retained thereafter
and in the event of breakage or replacement, they shall be refitted with obscure glass.

Reason: In the interests of residential amenity of neighbouring properties.

9.0 Informatives

1. This permission does not confer title. It is the responsibility of the
developer to ensure that he controls all the lands necessary to carry out the
proposed development.

2. This approval does not dispense with the necessity of obtaining the
permission of the owners of adjacent dwellings for the removal of or building on
the party wall or boundary whether or not defined.

3. It is an offence under Article 236 of the Water and Sewerage Services
(Northern Ireland) Order 2006, to build over or near watermains, sewers, pipes
and associated works owned and maintained by Northern Ireland Water unless
with the prior consent by NI Water.

4. Developers should obtain details of existing infrastructure from NI Water
by requesting a copy of the water and sewer records. Copies of our records are
supplied under Articles 257 and 258 of the 2006 Order. There is a nominal
charge for this service.

5. Where existing water and sewer infrastructure is located within a property
and proposed development of the site interferes with the public watermains,
sewers and associated works, the developer may make a Notice under Article
247 of the 2006 Order to have the public infrastructure diverted, realigned. Each
diversion and realignment request is considered on its own merits and approval
is at the discretion of NI Water. The applicant is required to meet any financial
conditions for realignment or diversion of the water and sewer infrastructure,
including full cost, company overheads, etc.

6. Precautions shall be taken to prevent the deposit of mud and other debris
on the adjacent road by vehicles travelling to and from the construction site. Any
mud, refuse, etc deposited on the road as a result of the development, must be
removed immediately by the operator/contractor.

7. Notwithstanding the terms and conditions of the Department of
Environment’s approval set out above, you are required under Article 71-83
inclusive of the Roads (NI) Order 1993 to be in possession of the Department for
Regional Development’s consent before any work is commenced which involves
making or altering any opening to any boundary adjacent to the public road,
verge, or footway or any part of said road, verge, or footway bounding the site.
<table>
<thead>
<tr>
<th>The consent is available on personal application to the TransportNI Section Engineer whose address is 1A Airport Road, Belfast, BT3 9DY. A monetary deposit will be required to cover works on the public road.</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. All construction plant and materials shall be stored within the curtilage of the site.</td>
</tr>
<tr>
<td>9. The Clean Neighbourhoods and Environment (NI) Act 2011</td>
</tr>
<tr>
<td>In the event that any ground contamination is encountered during the proposed development, then all works on site should cease. Belfast City Council Health and Environmental Services Department should be informed and a full written risk assessment in line with current Government guidance (Model Procedures for the Management of Land Contamination – CLR11) that details the nature of the risks and necessary mitigation measures should be submitted for appraisal.</td>
</tr>
<tr>
<td>10. Building Regs (NI) 2012</td>
</tr>
<tr>
<td>It is noted that the proposed development is located in a radon affected area. You should contact Belfast City Councils Building Control department in order to determine what remedial measures are required.</td>
</tr>
</tbody>
</table>
# ANNEX

<table>
<thead>
<tr>
<th><strong>Date Valid</strong></th>
<th>19th October 2016</th>
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</thead>
<tbody>
<tr>
<td><strong>Date First Advertised</strong></td>
<td>4th November 2016</td>
</tr>
<tr>
<td><strong>Date Last Advertised</strong></td>
<td>2nd June 2017</td>
</tr>
<tr>
<td><strong>Date of Last Neighbour Notification</strong></td>
<td>1st August 2017</td>
</tr>
</tbody>
</table>

## Drawing Numbers and Title

- Drawing No. 01: Site Location Plan
- Drawing No. 02: Existing Block Plan
- Drawing No. 03: Existing Site Survey
- Drawing No. 04B: Proposed Site Layout
- Drawing No. 05B: Proposed Block Plan
- Drawing No. 06B: Proposed Plans and Sections
- Drawing No. 07B: Proposed Elevations
- Drawing No. 08A: Illustration of height comparison with previous approval ref. Z/2010/187/F

**Representatives from Elected Representatives**: Correspondence received from Councillor Milne
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### Executive Summary

The proposal is for the ‘demolition of a single storey rear extension and partially 2 storey rear extension with internal alterations, the erection of 2 storey rear extension and bin/cycle store and elevation changes’. There is a full planning application (LA04/2017/1008/F) and a listed building consent application (LA04/2017/1010/LBC).

The current applications were submitted to regularise unauthorised works over and above what was previously approved by the Council in 2015.

The main issue to be considered is:

- Impact of proposed alterations on the listed building.

These works are considered contrary to Policy BH8 of PPS6 in that the works do not make use of traditional or sympathetic building materials and techniques which match and are in keeping with those found on the building (criteria (b) of BH8).

It is considered, the proposed works would cause unnecessary damage to the historic structure. In relation to the structure, ‘all proposals for alteration should be based on a proper understanding of the structure of the listed building, because it is vitally important that new works do not weaken the structural integrity of the building’.

The proposal is likely to be detrimental to the ongoing upkeep of the building.
Consultees: Historic Environment Division recommend Refusal.

The proposal has been assessed against the SPPS and PPS 6 and it is recommended that the applications are refused.

Signatures:
1.0 Characteristics of the Site and Area

1.1 The application site is located within the urban area of Belfast. There is a listed 3 storey period building located on the site. The application site is part of a terraced block, all of which is listed. The subject building is a grade B1 listed building (ref. HB26/27/028F).

1.2 The surrounding area is characterised by commercial, community and educational uses in an eclectic range of Victorian and Georgian architecture. The site faces on to Crescent Gardens, a local landscape policy area as designated in draft BMAP 2015. The site is also located within Queens Conservation Area and Queen's office area.

2.0 Description of Proposal

2.1 The proposal is for the ‘demolition of a single storey rear extension and partial 2 storey rear extension with internal alterations, the erection of 2 storey rear extension and bin/cycle store and elevation changes’. There is a full planning application (LA04/2017/1008/F) and a listed building consent application (LA04/2017/1010/LBC) submitted for the proposal. A schedule of works has been submitted detailing the proposed internal works to all rooms within the building.

3.0 Planning Assessment of Policy and Other Material Considerations

3.1 Site History –
LA04/2015/0657/LBC - Demolition of a single storey flat roof rear extension and minor internal ground first and second floor alterations
LA04/2015/0659/F - Demolition of single storey flat roof rear extension, minor internal ground, first and second floor alterations
3.2 Both applications were approved by Belfast City Council on 8th December 2015. The current applications were submitted to regularise unauthorised works over and above what was previously approved by the Council in 2015. The unauthorised works relate specifically to repairs undertaken on the ceilings, walls and floors of the building. *Belfast City Council also has an ongoing enforcement investigation into the unauthorised works.*

3.3 **Policy Framework –**
- Belfast Urban Area Plan 2001 (BUAP)
- Belfast Metropolitan Area Plan 2015 (BMAP)
- Strategic Planning Policy Statement (SPPS)
- PPS 6 Planning, Archaeology and the Built Heritage

3.4 The proposal requires listed building consent as it involves works to a listed building. The subject building, 12 Upper Crescent is a grade B1 Listed Building (ref. HB26/27/028F). A design and access statement has been provided in accordance with the Planning Act (NI) 2011 and the Planning (Listed Buildings) Regulations (NI) 2015.

3.5 The site is located within the urban area of Belfast. The adopted Belfast Metropolitan Area Plan 2015 (BMAP) has been quashed as a result of a judgement in the Court of Appeal delivered on 18th May 2017. As a consequence of this, the Belfast Urban Area Plan 2001 (BUAP) is now the statutory development plan for the area with draft BMAP remaining a material consideration.

3.6 Policy C4 of BUAP relates to ‘Buildings of special architectural and historic interest’. The application site is not zoned within the draft BMAP, however it is located within Queen’s Office area. The proposal does not relate to the use of the building therefore policy OF 5 of draft BMAP is not offended. The proposal does not offend any policy within either plan.

3.7 The SPPS provides a regional framework of planning policy that will be taken account of in the preparation of Belfast City Council’s Local Development Plan (LDP). At present, the LDP has not been adopted therefore transitional arrangements require the council to take account of the SPPS and existing planning policy documents, with the exception of PPS 1, 5 and 9. The SPPS aims to secure the protection, conservation and enhancement of our built heritage and promotes sustainable development and environmental stewardship with regard to our built heritage. Para 6.13 states that development involving works of extension / alteration may be permitted, particularly where this will secure the ongoing viability and upkeep of the building. The SPPS goes on to state that proposals should be based on a clear understanding of the importance of the building, and should support the best possible use that is compatible with the fabric, setting and character of the building. Applicants should justify proposals and show why alteration is desirable or necessary.

3.8 It is acknowledged that the SPPS does not specifically refer to building materials or techniques in relation to extensions or alterations of a listed building. Para 1.12 states that where the SPPS is silent or less prescriptive on a particular planning policy matter than retained policies, this should not be judged to lessen the weight to be afforded to
3.9 The proposal must satisfy the tests of policies BH8 of PPS 6 in relation to extension / alteration of a listed building. The Council consulted with Historic Environment Division on two occasions regarding the proposed works. On 13th June 2017 and 2nd August 2017, HED Historic Buildings considered that the proposal fails to satisfy the tests of policy BH8 of PPS 6.

**Lath & Lime Plaster**

HED have concerns that unauthorised works took place at the property and further works, which require listed building consent, are required to rectify the situation. HED had visited the building prior to the unauthorised works and noted that the building was in a fair condition. HED aims to ensure the reinstatement / reproduction of the historic fabric which has been removed without consent, e.g. lath and lime plaster.

HED advises that if evidence is supplied that lath and lime plaster was not present prior to the unauthorised works, they cannot insist of betterment. Photographs have been supplied to attempt to justify the schedule of works. HED considers the photographs do not provide sufficient evidence as they do not show the build-up of materials used in the construction.

There is evidence that lath and plaster ceilings existed in the property prior to works, from both the Schedule of works and previous HED photos of the property. The proposal indicates that no lath and plaster ceilings will be reinstated. During an office meeting at which the applicant and agent were present, Building Control confirmed they are content with lath and plaster ceilings with appropriate upgrades for fire resistance.

**Dry Lining & Tanking**

HED considers that the existing dry lining and tanking system is not an acceptable solution to the damp problems affecting the building. These works have been undertaken without consent, therefore historic fabric of the building was removed without consent. Building Control have advised that the proposed membrane on the inner face of the external walls does not constitute a contravention of building regulations, however they do advise that it is not the optimum construction method with regard to ensuring the longevity of the joists that are built into the external walls. HED note that the longevity and retention of existing historic fabric of listed buildings is fundamental to their role in protecting listed buildings. HED advise that dry lining of historic buildings is not recommended according to the latest research.

In response, the agent provided a report detailing the reasons for using waterproof membrane and dry lining techniques on the external walls. The agent supplied evidence of listed building consents where HED have previously approved Planton 2 waterproof membrane. HED commented that a number of the buildings were churches and due to ecclesiastical exemption, they have no control over internal alterations. Other buildings referred to are either unlisted, of different construction and / or with a different case history. Remaining buildings on the list are not of the same construction and were not in a similar condition prior to works as No. 12 Upper Crescent. It is apparent that there is a difference of opinion between the agent and HED. HED is the council's statutory consultee on these matters and they recommend refusal on the basis of proposals and supporting evidence provided.
3.15 Neighbour Notification
8 neighbours were notified in relation to LA04/2017/1008/F. No representations were received.

4.0 Neighbour Notification Checked: Yes

5.0 Summary of Recommendation:

5.1 Unauthorised works have taken place to the listed building at No. 12 Upper Crescent. Following consultation with HED, these works are contrary to Policy BH8 of PPS6 in that the works do not make use of traditional or sympathetic building materials and techniques which match and are in keeping with those found on the building (criteria (b) of BH8).

5.2 Para 6.11 of PPS 6 states that the Planning Authority will consider whether the proposed works would cause unnecessary damage to the historic structure. Furthermore, Para 6.12 states that the spatial layout of the building, archaeological or technological interest of the surviving structure and the use of materials can contribute to the special interest of the listed building. In relation to the structure, ‘all proposals for alteration should be based on a proper understanding of the structure of the listed building, because it is vitally important that new works does not weaken the structural integrity of the building’.

5.3 In relation to the SPPS, it is acknowledged that the proposal will secure the ongoing viability of the building, however the proposal is likely to be detrimental to the ongoing upkeep of the building.

5.4 The agent has attempted to provide justification for the unauthorised works, however HED contends that the works are not justified.

5.5 The proposal does not comply with the SPPS nor does it pass the tests of criteria (b) of Policy BH8 of PPS 6, therefore refusal is recommended.

6.0 Reasons for Refusal:

1. The proposal is contrary to the Planning Policy Statement 6 Planning, Archaeology and the Built Heritage, Policy BH8 in that the proposed works do not make use of traditional or sympathetic building materials and techniques which match and are in keeping with those found on the building.

2. The proposal is contrary to the Strategic Planning Policy Statement in that the proposed works are likely to be detrimental to the ongoing upkeep of the listed building.
ANNEX

<table>
<thead>
<tr>
<th>Details of Neighbour Notification (LA04/2017/1008/F)</th>
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</thead>
<tbody>
<tr>
<td>The Owner/Occupier, 02,16B Mount Charles, Belfast, Antrim, BT7 1NZ,</td>
</tr>
<tr>
<td>The Owner/Occupier, 1,13 Upper Crescent, Belfast, Antrim, BT7 1NT,</td>
</tr>
<tr>
<td>The Owner/Occupier, 13 Upper Crescent, Belfast, Antrim, BT7 1NT,</td>
</tr>
<tr>
<td>The Owner/Occupier, 13 Upper Crescent, Belfast, Antrim, BT7 1NT,</td>
</tr>
<tr>
<td>The Owner/Occupier, 2,13 Upper Crescent, Belfast, Antrim, BT7 1NT,</td>
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<tr>
<td>The Owner/Occupier, 26-30, Mount Charles, Belfast, Antrim, BT7 1NZ,</td>
</tr>
<tr>
<td>The Owner/Occupier, 28 Mount Charles, Belfast, Antrim, BT7 1NZ,</td>
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<tr>
<td>The Owner/Occupier, 30 Mount Charles, Belfast, Antrim, BT7 1NZ,</td>
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</tbody>
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<thead>
<tr>
<th>Summary of Consultee Responses</th>
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<tbody>
<tr>
<td>HED Historic Buildings considers the proposal fails to satisfy Policy BH8 – Extension or alteration of a listed building.</td>
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<thead>
<tr>
<th>Notification to Department (if relevant)</th>
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<tbody>
<tr>
<td>Date of Notification to Department:</td>
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<tr>
<td>Response of Department:</td>
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<tr>
<th>Representations from Elected Members:</th>
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<tbody>
<tr>
<td>Councillor Declan Boyle – support for applications</td>
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